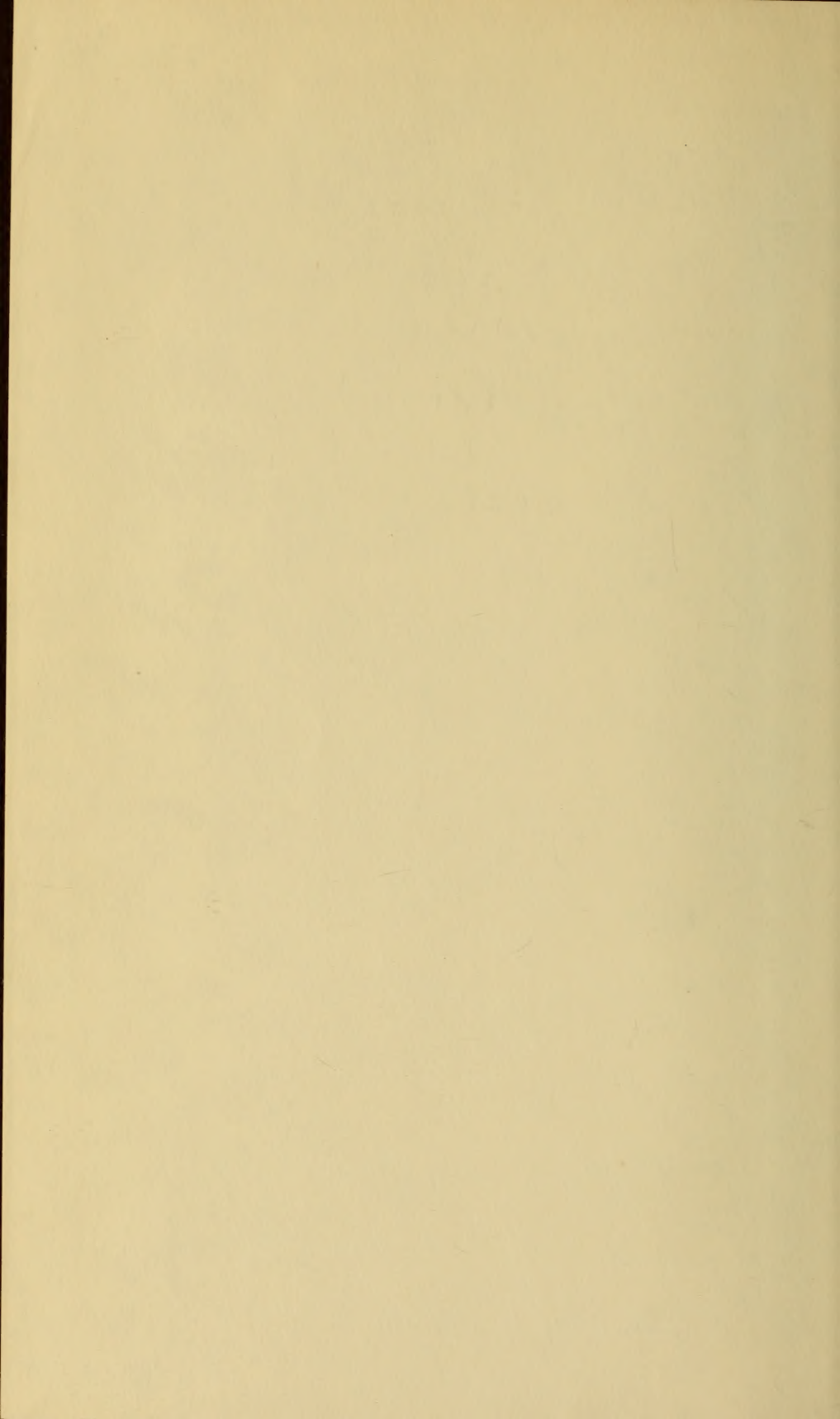


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Baltimore, Ordinances, etc.

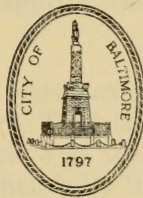
ORDINANCES AND RESOLUTIONS

of the

MAYOR AND CITY COUNCIL

OF BALTIMORE

PASSED AT THE ANNUAL SESSION 1962—1963



Baltimore
King Bros., Inc.
City Printers
1963

ORDINANCES AND RESOLUTIONS

MARYLAND

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1962/63

MAYOR AND COUNCIL

PASSED AT THE ANNUAL SESSION 1962-1963



1963

ORDINANCES

PASSED AT THE ANNUAL SESSION
1962-1963

No. 1223
(Council No. 1841)

An ordinance to waive the provisions of Paragraph 2132 of Article 5 of the Baltimore City Code (1950 Edition as amended) title "Building Regulations", said Article being known generally as the Building Code of Baltimore City, and also to waive any other pertinent provisions of the Building Code to the extent necessary to permit the construction and maintenance of a flight of steps beginning at the curb line on the premises known generally as 817 West University Parkway and extending to the rear in order to meet an existing elevated sidewalk located approximately six (6) feet back of the curb line.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the provisions of Paragraph 2132 of Article 5 of the Baltimore City Code (1950 Edition as amended), title "Building Regulations", said Article being known generally as the Building Code of Baltimore City, and also any other pertinent provisions of the Building Code be waived to the extent necessary to permit the construction and maintenance of a flight of steps beginning at the curb line on the premises known generally as 817 West University Parkway and extending to the rear in order to meet an existing elevated sidewalk located approximately six (6) feet back of the curb line. Except as in this ordinance specifically provided otherwise, all ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of this flight of steps.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1224

(Council No. 1935)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore County southeasterly of Beaver Dam Run and northwesterly of the Northern Central Railway right-of-way, containing 4,799.88 square feet or 0.11 acres of land more or less. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore County, and described as follows:

Beginning for the same at the point formed by the intersection of the fourth line of the parcel of land conveyed by the Mayor and City Council of Baltimore to Veneers Incorporated by deed dated January 11, 1934 and recorded among the Land Records of Baltimore County in Liber L.McL.M. No. 921, folio 419 and the northwest side of the northwesternmost wall of the original building erected on the aforesaid parcel of land, said point

being distant South $75^{\circ}-26'-00''$ West 108.21 feet from the beginning of the fourth line of said deed the coordinates of said point, based upon the coordinate system as adopted by the Baltimore Survey Control System, being West 8045.07 feet and North 69234.10 feet, and running thence binding on part of the fourth line of said deed South $75^{\circ}-26'-00''$ West 14.03 feet to intersect a line drawn parallel with and distant 10.0 feet northwesterly, measured at right angles from the northwest side of the northwesternmost wall of said building; thence binding on said line so drawn and on lines drawn parallel with and distant 10.0 feet, northeasterly, northwesterly and southeasterly, measured at right angles to the four northeasternmost walls of said building the five following courses and distances, namely North $29^{\circ}-57'-44''$ East 88.44 feet, South $60^{\circ}-02'-16''$ East 46.02 feet, North $29^{\circ}-57'-44''$ East 14.87 feet, South $60^{\circ}-02'-16''$ East 55.95 feet and South $29^{\circ}-57'-44''$ West 11.68 feet to intersect the third line of the aforesaid deed and thence binding on part of the third and on part of the fourth lines of said deed, the two following courses and distances, namely, North $81^{\circ}-44'-00''$ West 15.96 feet and South $75^{\circ}-26'-00''$ West 108.21 feet to the place of beginning.

Containing 4,799.88 square feet or 0.11 acres of land, more or less.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1225

(Council No. 1937)

An ordinance to repeal Section 141(19a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking" as said section was ordained by Ordinance No. 1664 approved November 21, 1958, and to ordain a new Section 141(19a) in lieu thereof to stand in the place of the section so repealed, revising the provisions concerning the exclusive use of a portion of the south side of Water Street by certain vehicles owned by the United States.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 141(19a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking" as said section was ordained by Ordinance No. 1664 approved November 21, 1958, be and it is hereby repealed, and to ordain a new Section 141(19a) in lieu thereof to stand in the place of the section so repealed, and to read as follows:

141.

(19a). U. S. Navy vehicles owned by the United States Government and used in an official capacity shall have the exclusive right to park between the hours of 7 A.M. and 6 P.M., on any day, on the south side of Water Street, between Custom House Avenue and Commerce Street. No vehicle, other than U. S. Navy vehicles owned by the United States Government and used in an official capacity, shall be permitted to park, at any time, on said portion of the south side of Water Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor.*

No. 1226

(Council No. 1938)

An ordinance to repeal Sections 131(16), 131(18), 131(19), 131(20) and 131(21) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", repealing certain ordinances relating to the standing of vehicles on certain portions of Madeira Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Sections 131(16), 131(18), 131(19), 131(20) and 131(21) of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", be and they are hereby repealed.*

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved May 31, 1962

J. HAROLD GRADY, *Mayor.*

No. 1227

(Council No. 1939)

An ordinance to repeal Sections 109(32) and 109(33) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", and to ordain a new Section 109(32) in lieu thereof, to stand in the place of the sections so repealed, revising the provisions concerning the one-way street provisions applicable to certain portions of Port Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 109(32) and 109(33) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", be and they are hereby repealed, and that a new Section 109(32) be and it is hereby ordained, to stand in the place of the sections so repealed, and to read as follows:

109.

(32) Port Street, from Eager Street to Baltimore Street, is a one-way street for motor vehicles proceeding in a south-bound direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1228

(Council No. 1940)

An ordinance to repeal Sections 120(77c) and 120(77h) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking" as said sections were ordained by Ordinance No. 640 approved November 21, 1956, repealing ordinances regulating the parking of vehicles on certain portions of Broadway.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 120(77c) and 120(77h) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking" as said sections were ordained by

Ordinance No. 640 approved November 21, 1956, be and they are hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1229

(Council No. 1941)

An ordinance to repeal Section 100(5a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets" as said section was ordained by Ordinance No. 1552 approved June 25, 1958, and to ordain a new Section 100(5a) in lieu thereof to stand in the place of the section so repealed, revising the provisions concerning the one-way street provisions applicable to a certain portion of Glenoak Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 100(5a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets" as said section was ordained by Ordinance No. 1552 approved June 25, 1958, be and it is hereby repealed, and to ordain a new Section 100(5a) in lieu thereof to stand in the place of the section so repealed, and to read as follows:

100.

(5a). Glenoak Avenue to White Avenue to Westfield Avenue is a one-way street for vehicular traffic and shall be used for this purpose in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1230

(Council No. 1942)

An ordinance to add a new Section 125(8b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 125(8a) thereof, regulating the parking of vehicles on a portion of Gay Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 125(8b) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 125(8a) thereof, and to read as follows:

125.

(8a) Except as authorized in this sub-section, no vehicle is permitted to be parked between the hours of 8 A.M. and 4 P.M. on any day on the easterly side of Gay Street, between Oliver Street and the first driveway northerly therefrom. During such times vehicles owned by or being used for the United States Post Office Department may be parked on this portion of the easterly side of Gay Street, provided that any such vehicle is clearly identifiable as such.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1231

(Council No. 1943)

An ordinance to repeal Section 134(8a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 56, approved October 28, 1955, repealing the ordinance which regulates the parking of vehicles on the east side of Park Heights Avenue between Hillsdale Avenue and Ulman Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 134(8a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 56, approved October 28, 1955, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1232

(Council No. 1944)

An ordinance to add Section 125(12a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 125(12) thereof, regulating the parking of vehicles on the east side of Gilmore Street, between Mosher Street and Riggs Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 125(12a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 125(12) thereof, and to read as follows:

125.

(12a) No vehicle is permitted to be parked between the hours of 6 A.M. and 6 P.M. on any day except Sundays on the east side of Gilmore Street between Mosher Street and Riggs Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1233

(Council No. 1945)

An ordinance to repeal Section 129(12a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking",

as said section was ordained by Ordinance No. 459, approved November 7, 1960, repealing the ordinance which regulates the parking of vehicles on days on which public schools are ordinarily in session on a certain portion of Konig Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 129(12a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No. 459, approved November 7, 1960, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1234

(Council No. 1946)

An ordinance to repeal Section 169(5) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters" as said section was ordained by Ordinance No. 1500 approved June 6, 1958, and to ordain a new Section 169(5) in lieu thereof to stand in the place of the section so repealed, revising the provisions concerning the installation and use of parking meters on a certain portion of Little Hollins Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 169(5) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking

Meters" as said section was ordained by Ordinance No. 1500 approved June 6, 1958, be and it is hereby repealed, and that new Section 169(5) be and it is hereby ordained in lieu thereof to stand in the place of the section so repealed, and to read as follows:

169.

(5). Little Hollins Street, angle parking, south side, from Carrollton Avenue to Arlington Avenue, between the hours of 8 A.M. and 6 P.M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1235

(Council No. 1947)

An ordinance to add a new Section 125(12a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 125(12) thereof, regulating the stopping of vehicles on the east side of Gilmore Street between Pratt Street and Lombard Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 125(12a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 125(12) thereof, and to read as follows:

125.

(12a) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. on any day on the east side of Gilmor Street between Pratt Street and Lombard Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 31, 1962

J. HAROLD GRADY, *Mayor*.

No. 1236

(Council No. 1715)

An ordinance granting permission to The Uptown Savings and Loan Association for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the northeast side of Reisterstown Road, southeast of Clarks Lane, and known generally as 6609 Reisterstown Road, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission be and the same is hereby granted to The Uptown Savings and Loan Association for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the northeast side of Reisterstown Road, southeast of Clarks Lane, and known generally as 6609 Reisterstown Road, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of

Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SEC. 2. *And be it further ordained*, That the said parking area shall be maintained with a hard or semi-hard dustless surface on which motor vehicles are to be parked. No repair facilities and no sale of gasoline or inflammable liquids shall be permitted thereon and no commercial activities of any kind shall be conducted thereon. The entrances and exits on said area shall be at such location or locations as shall be approved by the Commissioner of Transit and Traffic. The illumination of said parking area, if any, shall be by lights dimmed or focused so as to prevent them from becoming an annoyance to nearby residents. The location and type of such lights, if any, shall be subject to the approval of the Building Inspection Engineer. All construction work and installations shall be done in accordance with the laws and ordinances applicable in Baltimore City.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1237

(Council No. 1885)

An ordinance to comply with the provisions of Section 1 of Article 13 of the Baltimore City Code (1950 Edition), title "Hospitals", by giving the assent of the Mayor and City Council of Baltimore to the establishment and operation of a convalescent and nursing home on the premises known generally as 6116 Belair Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That pursuant to the provisions of Section 1 of Article 13 of the Baltimore City Code (1950 Edition), title "Hospitals", the assent of the Mayor and City Council of Baltimore is given to the establishment and operation of a convalescent and nursing home on the premises known generally as 6116 Belair Road. Except as in this ordinance specifically provided otherwise, all ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the establishment and operation of this convalescent and nursing home.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1238

(Council No. 1929)

An ordinance granting permission and authority to Williams & Wilkins Company, a body corporate, to construct, maintain, and use a three-story enclosed superstructure or bridgeway above and across Hunter Alley, about 125 feet north of East Preston Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission and authority be and the same are hereby granted to Williams & Wilkins Company, a body corporate, its successors and assigns, hereinafter referred to as the grantee, to construct, maintain, and use, at its own cost and expense, for a period not exceeding twenty-five years, a three-story enclosed superstructure or

bridgeway above and across Hunter Alley, connecting the premises known as 1310 Guilford Avenue and the premises known as 1314 Hunter Alley.

SEC. 2. *And be it further ordained*, That the center line of said superstructure or bridgeway shall be located approximately 125 feet north of the north building line of E. Preston Street.

That the superstructure or bridgeway shall be approximately 20 feet long, 30 feet wide, and 43 feet high, and no part of the said superstructure or bridgeway shall be less than 14 feet above the surface of said Hunter Alley.

No woodwork or other combustible materials shall be used in the construction or maintenance of said superstructure or bridgeway and said structure shall be constructed in all respects in accordance with the Building Code of Baltimore City and shall be constructed, completed and maintained under the supervision and to the satisfaction of the Building Inspection Engineer of Baltimore City and shall be, at all times hereafter, subject to regulation and control by the said Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control in respect to all matters connected with this grant, and not inconsistent with the terms thereof.

SEC. 4. *And be it further ordained*, That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained*, That the said grantee, its successors and assigns, shall maintain the said superstructure or bridgeway in good condition as long as it remains in and above said street.

SEC. 6. *And be it further ordained,* That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council, as compensation for the franchise or privilege hereby granted, the sum of One Thousand Three Hundred Ninety-five Dollars (\$1,395.00) per year, payable in advance, during the continuance of this franchise or privilege.

SEC. 7. *And be it further ordained,* That non-compliance at any time or times with any of the terms or conditions of the grant hereby made shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation, and upon written notice to that effect from the Mayor of Baltimore City served upon the grantee, its successors or assigns, all such rights shall cease and determine.

SEC. 9. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination of the rights and privileges by this ordinance granted, the said grantee, its successors and assigns, shall, at their expense, promptly remove said superstructure or bridgeway in a manner satisfactory to the Building Inspection Engineer without any compensation to the grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore from

and against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council may, from time to time, be subjected to on account of, by reason of, or in any way resulting from—

(a) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said superstructure or bridgeway, and

(b) any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1239

(Council No. 1967)

An ordinance to waive the provisions of Paragraph 2131 of Article 5 of the Baltimore City Code (1950 Edition, as amended) said Article being known generally as the Building Code of Baltimore City, and also to waive any other applicable regulations or ordinances of the Mayor and City Council of Baltimore City, in order to permit the construction and maintenance of a sub-surface areaway to be used as an entrance into or exit from the basement of the premises known generally as 600 South Highland Avenue, this sub-surface areaway to be approximately 4 feet by 11 feet.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, that the provisions of Para-

graph 2131 of Article 5 of the Baltimore City Code (1950 Edition as amended) said Article being known generally as the Building Code of Baltimore City, and also the provisions of any other applicable regulation or ordinance of the Mayor and City Council of Baltimore City, are waived in order to permit the construction and maintenance of a sub-surface areaway to be used as an entrance into or exit from the basement of the premises known generally as 600 South Highland Avenue, this sub-surface areaway to be approximately 4 feet by 11 feet.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1240

(Council No. 1970)

An ordinance to add a new Section 99 (13b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 99(13a) thereof, prohibiting the parking of vehicles on both sides of the East Drive of Forrest Street between Hillen Street and Ensor Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 99 (13b) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 99 (13a) thereof, and to read as follows:

99.

(13b) No vehicle is permitted to be parked at any time on either side of the East Drive of Forrest Street between Hillen Street and Ensor Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1241

(Council No. 1971)

An ordinance to repeal Sections 126 (10), 126 (10 $\frac{1}{4}$) and 126 (10 $\frac{1}{2}$) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance No. 785, approved May 19, 1961, and to ordain in lieu thereof new Sections 126 (10) and 126 (10 $\frac{1}{4}$) to stand in the place of the sections so repealed, revising the provisions concerning the stopping and parking of vehicles on certain portions of Hanover Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 126 (10), 126 (10 $\frac{1}{4}$) and 126 (10 $\frac{1}{2}$) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance No. 785, approved May 19, 1961, be and they are hereby repealed, and that new Sections 126 (10) and 126 (10 $\frac{1}{4}$) be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

126.

(10). No vehicle is permitted to be stopped between the hours of 7 A. M. and 9 A. M. and between the hours of 4 P. M. and 6 P. M. on any day on the east side of Hanover Street between Pratt Street and Lombard Street.

(10 $\frac{1}{4}$). No vehicle is permitted to be stopped between the hours of 4 P. M. and 6 P. M. on any day on the west side of Hanover Street between Pratt Street and Lombard Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1242

(Council No. 1972)

An ordinance to repeal Sections 169($\frac{1}{4}$) and 169($\frac{1}{2}$) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", as said sections were ordained by Ordinance No. 866 approved June 15, 1961, and to ordain in lieu thereof new Sections 169 ($\frac{1}{4}$) and 169 ($\frac{1}{2}$) to stand in the place of the sections so repealed, revising the provisions of the so-called Parking Meter Ordinance with respect to certain portions of Hanover Street, and thereby providing for the installation and operation of parking meters on certain portions of Hanover Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 169($\frac{1}{4}$) and 169($\frac{1}{2}$) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title

“Parking Meters”, as said sections were ordained by Ordinance No. 866 approved June 15, 1961, be and they are hereby repealed, and that new Sections 169 (1/4) and 169 (1/2) be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

169

(1/4). Hanover Street, west side, from Pratt Street to Lombard Street, between the hours of 8 A.M. and 4 P.M.

(1/2). Hanover Street, east side, from Pratt Street to Lombard Street, between the hours of 9 A.M. and 4 P.M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1243

(Council No. 1973)

An ordinance to repeal Section 134 (67n) of Article 38 of the Baltimore City Code (1950 Edition), title “Traffic Regulations”, sub-title “Parking”, as said section was ordained by Ordinance 454, approved November 7, 1960, and to ordain a new Section 134 (67n) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the parking and stopping of vehicles on the south side of Pratt Street between Hanover Street and Paca Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 134 (67n) of Article 38 of the Baltimore City Code (1950 Edition), title “Traffic Regulations”, sub-title “Park-

ing", as said section was ordained by Ordinance 454, approved November 7, 1960, be and it is hereby repealed; and that a new Section 134 (67n) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

134.

(67n). No vehicle is permitted to be stopped between the hours of 4 P. M. and 6:30 P. M. on any day on the south side of Pratt Street, between Hanover Street and Paca Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1244

(Council No. 1974)

An ordinance to add Section 95 (20a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 95 (20) thereof, making Birchwood Avenue, from Westfield Avenue to Evergreen Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 95 (20a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 95 (20) thereof, and to read as follows:

95.

(20a). Birchwood Avenue, from Westfield Avenue to Evergreen Avenue is hereby declared to be a

one-way street for vehicular traffic, and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1245

(Council No. 1975)

An ordinance to add new Sections 122(16b) and 122(16-c) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 122(16a) thereof, regulating the parking of vehicles on Druid Park Lake Drive between Linden Avenue to Lakeview Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 122(16-b) and 122(16-c) be and they are hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 122(16-a) thereof, and to read as follows:

122.

(16-b) No vehicle is permitted to be parked at any time on the southerly side of Druid Park Lake Drive between Linden Avenue and Lakeview Avenue.

(16-c) No vehicle is permitted to be parked between the hours of 7 A.M. and 6 P.M. on any day on the northerly side of Druid Park Lake Drive, between Linden Avenue and Lakeview Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1246

(Council No. 1976)

An ordinance to add a new Section 122 (4a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 122 (4) thereof, prohibiting the parking of vehicles on the westerly side of Decatur Street, between Clement Street and a point 160 feet northerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 122 (4a), be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 122 (4) thereof and to read as follows:

122.

(4a). No vehicle is permitted to be parked at any time on the westerly side of Decatur Street between Clement Street and a point 160 feet northerly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1247

(Council No. 1986)

An ordinance to repeal and reordain with amendments Section 120(55a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No.* (Introductory number 1860), approved* amending the ordinance concerning the parking of vehicles in front of the premises known generally as 2229-2313 Boston Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 120(55a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No.* (Introductory number 1860) be and it is hereby repealed and reordained with amendments to read as follows:

120.

(55a) No vehicle is permitted to be parked between the hours of 7 A. M. and 5 P. M. on Monday to Friday, inclusive, on Boston Street in front of the premises known generally as 2229-2313 Boston Street, this being a portion of Boston Street approximately 240 feet, 4 inches long.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

* Introductory No. 1860 became Ordinance No. 1183, approved April 30, 1962.

No. 1248

(Council No. 1997)

An ordinance to repeal Section 137(5a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", and to repeal and reordain with amendments Sections 137(5a-1), 137(5a-2) and 137(5a-3) of said Article and sub-title, all of said sections having been ordained by Ordinance No. 812, approved May 25, 1961, amending the ordinance concerning an exclusive right of parking on the west side of St. Paul Place (lower level) in order to eliminate such a right for vehicles belonging to or operated by employees of the Department of Commerce, Bureau of Public Roads of the United States Government, extending the right of parking for vehicles belonging to or operated by employees of the Workmen's Compensation Commission of Maryland, and clarifying the provisions of these sections.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 137(5) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", be and it is hereby repealed; and that Sections 137(5a-1), 137(5a-2) and 137(5a-3) of said Article and sub-title, all of said sections having been ordained by Ordinance No. 812, approved May 25, 1961, be and they are hereby repealed and reordained with amendments to read as follows:

137.

(5a-1) Vehicles belonging to or operated by employees of the Workmen's Compensation Commission of the State of Maryland have the exclusive right to be parked on the West side of St. Paul Place (lower level), from a point 34' north of Lexington Street to a point 186' north of Lexington Street. Every such vehicle shall have affixed thereto a suitable card or other insignia issued by

the Workmen's Compensation Commission and approved by the Department of Transit and Traffic attesting to the right of such vehicle to be parked at such location under the provisions of this sub-section.

(5a-2) Vehicles belonging to or operated by employees of the Probation Department of the Supreme Bench of Baltimore City have the exclusive right to be parked on the West side of St. Paul Place (lower level) from a point 186' north of Lexington Street to a point 222' north of Lexington Street. Every such vehicle shall have affixed thereto a suitable card or other insignia issued by the Probation Department of the Supreme Bench and approved by the Department of Transit and Traffic attesting to the right of such vehicle to be parked at such location under the provisions of this sub-section.

(5a-3) Vehicles belonging to or operated by Judges of the Court of Appeals of the State of Maryland have the exclusive right to be parked on the West side of St. Paul Place (lower level) from a point 222' north of Lexington Street to a point 240' north of Lexington Street. Every such vehicle shall have affixed thereto a suitable card or other insignia issued by the Court of Appeals of Maryland and approved by the Department of Transit and Traffic attesting to the right of such vehicle to be parked at such location under the provisions of this sub-section.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 6, 1962

J. HAROLD GRADY, *Mayor*.

No. 1249

(Council No. 1509)

An ordinance to repeal and re-ordain, with amendments, Sections 8, 9, 11 and 12 of Article 14A of the Baltimore City Code (1950 Edition), title "Human Relations", sub-title "Baltimore Equal Employment Opportunity Commission", as said sub-title was ordained by Ordinance No. 379, approved April 18, 1956, and amended by Ordinance No. 409, approved July 6, 1960, and to add a new Section 10A thereto, to follow immediately after Section 10 thereof, amending the Equal Employment Opportunity Ordinance in order to prohibit in Baltimore City discrimination on the basis of race, creed, color or national origin in certain places of public accommodation which provide sleeping accommodations or serve meals for a consideration, placing the administration and enforcement of this prohibition within the Baltimore Equal Employment Opportunity Commission, changing the name of said Commission to be Baltimore Equal Opportunity Commission, and providing for the continuation of the old Commission in the new Commission, changing the name of said sub-title to be "Baltimore Equal Opportunity Commission" and relating generally to the prohibition of discrimination in certain places of public accommodation in Baltimore City on the basis of race, creed, color or national origin.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 8, 9, 11 and 12 of Article 14A of the Baltimore City Code (1950 Edition), title "Human Relations", sub-title "Baltimore Equal Employment Opportunity Commission", as said sub-title was ordained by Ordinance No. 379, approved April 18, 1956, and amended by Ordinance No. 409, approved July 6, 1960, be and they are hereby repealed and re-ordained, with amendments; that a new Section 10A be and it is hereby added thereto, to follow immediately after

Section 10 thereof; that the name of the subtitle be and it is hereby changed to "Baltimore Equal Opportunity Commission", and all to read as follows:

8. The Mayor and City Council of Baltimore finds that the population of this city is composed of peoples of many diverse racial, religious and other ethnic groups. The practice of discrimination in employment against members of these groups and the consequent failure to utilize the productive capacities of individuals to their fullest extent deprives large segments of the population of this city of earnings necessary to maintain decent standards of living, necessitates their resort to public relief and intensifies racial, religious and ethnic intolerance thereby resulting in grave injury to the public health and welfare. The practice by divers places of public accommodation of refusing to accommodate and serve members of these groups also tends to exacerbate intergroup relations thereby impairing the public welfare. It is hereby declared to be the public policy of this City to foster the employment of all persons in accordance with their fullest capacities, and to accommodate and serve persons in divers places of public accommodation, regardless of the race, color, religion, ancestry or national origin of such persons.

9. The term "person", as used in this ordinance, shall include an individual, partnership, corporation, union or association, including those acting in a fiduciary or representative capacity, whether appointed by a court or otherwise. Whenever used in any clause prescribing and imposing a penalty, the term "person", as applied to partnerships, unions or associations, shall mean the partners or members thereof and as applied to corporations, the officers thereof. The singular shall include the plural and the masculine shall include the feminine and neuter.

The term "employer", as used in this ordinance shall include every person, as hereinabove defined, who employs fifteen or more employees, exclusive

of parents, spouse or children of such person. The term, however, shall not include fraternal, sectarian, charitable, religious or private educational organizations but shall include any governmental unit, agency or employee as to which the City has the power to legislate.

The term "labor organization" shall include any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment or of other mutual aid or protection in relation to employment.

The term "employment agency" shall include every person, as hereinabove defined, regularly undertaking in this City, with or without compensation, to procure opportunities to work or to procure, recruit, refer, or place employees.

The term "employment" shall not include the employment of individuals as domestic servants nor the employment of individuals to serve in personal and confidential positions.

The term "place of public accommodation" includes a hotel, motel, inn or restaurant, meaning establishments commonly known or recognized as regularly engaged in the business of providing sleeping accommodations, or serving meals, or both for a consideration, and which are open to the general public. The term "place of public accommodation" does not apply to those establishments commonly known and recognized as boarding houses or rooming houses, to lunch counters or refreshment stands maintained in places of recreation or amusement such as bowling alleys, billiard halls, or swimming pools. Also the term "place of public accommodation" does not apply to those establishments dealing in alcoholic beverages where the average daily receipts of the sale of alcoholic beverages exceeds the average daily receipts of the sale of food nor to that part or parts of such restaurant establishments which part or parts are primarily devoted to the sale of alcoholic beverages.

The term "commission" means the Baltimore Equal Opportunity Commission created herein.

10A. An owner or operator of a place of public accommodation or an agent or employee of said owner or operator shall not, because of the race, color, creed or national origin of any person, refuse, withhold from, or deny to such person any of the accommodations, advantages, facilities and privileges of such place of public accommodation.

11. (a) There is hereby established the Baltimore Equal Opportunity Commission which shall consist of nine members who shall be appointed by the Mayor subject to approval by the City Council. Any five members of the Commission shall constitute a quorum. They shall serve without compensation but shall be reimbursed for all expenses necessarily incurred. Each member of the Commission shall serve for a period of three years and until his successor is duly appointed and qualified, except that in the case of those first appointed the terms shall be staggered as follows: three to serve for one year; three to serve for two years; and three to serve for three years. The members of the Commission shall annually elect a chairman from among the members of the Commission and shall appoint a secretary.

(b) The Commission shall appoint such personnel at such compensation as may from time to time be authorized by the Mayor and City Council.

12. The Commission is authorized to and shall:

(a) Formulate and carry out a comprehensive educational program designed to eliminate and prevent prejudice and discrimination based upon race, color, religion, national origin or ancestry.

(b) Receive and investigate and seek to adjust all complaints of unfair employment practices or unfair accommodation practices forbidden by this ordinance, but no complaint shall be received unless made to the commission within thirty days of such alleged unfair practice. Unfair employment prac-

tices and unfair accommodation practices, or either, are referred to elsewhere in this sub-title as "unfair practices."

(c) Make and publish, after a public hearing, appropriate findings as a result of its investigations.

(d) From time to time but not less than once a year, render to the Mayor and City Council a written report of its activities and recommendations.

(e) Adopt such rules and regulations as may be necessary to carry out the functions of the commission and to effectuate the purposes and provisions of this sub-title.

(f) Consult with such advisory agencies and conciliation councils as will aid in effectuating the purposes of this sub-title.

(g) Have power to administer oaths and issue subpoenas to compel the attendance and testimony of witnesses and the production of books, papers, records and documents relevant or necessary for its investigations and proceedings, the same to be served by the Sheriff of Baltimore City or any of his deputies. In case of disobedience to a subpoena, the Commission may apply to the Court of appropriate jurisdiction of Baltimore City for an order requiring the attendance and testimony of witnesses and the production of books, papers, records and documents. The Court of appropriate jurisdiction of Baltimore City may, in case of contumacy or refusal to obey a subpoena for the attendance and testimony of a witness, or the production of books, papers, records and documents, after notice to the person subpoenaed as a witness or directed to produce books, papers, records and documents and, upon finding that the attendance and testimony of such witness, or the production of such books, papers, records and documents, as the case may be, is relevant or necessary for the investigations and proceedings of the Commission, issue an order requiring the attendance and testimony of such witness and the production of such

books, papers, records and documents, and any failure to obey such order of the Court of appropriate jurisdiction of Baltimore City may be punished by such Court as a contempt thereof.

SEC. 2. *And be it further ordained*, That the Baltimore Equal Opportunity Commission herein provided for is a continuation of the Baltimore Equal Employment Opportunity Commission now functioning pursuant to Ordinance 379, approved April 18, 1956, as amended by Ordinance 409, approved July 6, 1960. Nothing in this ordinance shall be construed to affect or interrupt the continuity of the former Baltimore Equal Employment Opportunity Commission or the membership thereof or the appropriations thereto. It is the intent of this ordinance with respect to the former Baltimore Equal Employment Opportunity Commission simply to change the name and to enlarge the duties thereof.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 8, 1962

J. HAROLD GRADY, *Mayor*.

No. 1250

(Council No. 1442)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore, of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely for the opening, widening, grading, con-

struction and maintenance of Annapolis Road, 60 feet wide, from the Baltimore-Washington Expressway southwesterly to the Southern Boundary of Baltimore City established 1918; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Annapolis Road; and authorizing the making of all necessary agreements concerning said Annapolis Road; and authorizing the construction of said Annapolis Road; the location and course of said Annapolis Road being shown on a plat thereof numbered 165-A-22A, prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the Nineteenth (19th) day of June, 1961.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or condemnation for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of Annapolis Road, 60 feet wide, from the Baltimore-Washington Expressway southwesterly to the Southern Boundary of Baltimore City established 1918, the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for the same at the end of the North 25°-29'-42" East 220.40 foot line of the Baltimore-Washington Expressway, condemned and opened as a through (Limited Access) highway under Ordinance No. 151, approved February 20, 1948, the coordinates of said beginning, based upon the coordinate system adopted by the Baltimore Survey Control System, being West 5872.35 feet and South 14105.09 feet and running thence binding reversely on said line and reversely on part of the North 80°-33'-00" West 93.32 foot line of said Expressway,

the two following courses and distances, namely, South $25^{\circ}-29'-42''$ West 220.40 feet and South $80^{\circ}-33'-00''$ East 16.53 feet to intersect the southeast side of Annapolis Road as proposed, 60 feet wide; thence binding on the southeast and east sides of said Annapolis Road, as proposed 60 feet wide, the ten following courses and distances, namely, South $24^{\circ}-50'-40''$ West 195.20 feet, South $28^{\circ}-35'-15''$ West 524.54 feet, by a line curving to the left, with a 726.53 foot radius, the distance of 218.79 feet, which arc is subtended by a chord bearing South $19^{\circ}-57'-37''$ West 217.97 feet, South $11^{\circ}-19'-59''$ West 453.20 feet, by a line curving to the left, with a 3540.22 foot radius, the distance of 103.94 feet, which arc is subtended by a chord bearing South $10^{\circ}-29'-31''$ West 103.94 feet, South $09^{\circ}-39'-03''$ West 947.73 feet, South $07^{\circ}-52'-50''$ West 664.40 feet, by a line curving to the right, with a 2765.17 foot radius, the distance of 247.07 feet, which arc is subtended by a chord bearing South $10^{\circ}-26'-25''$ West 246.99 feet, South $13^{\circ}-00'-00''$ West 232.15 feet and South $12^{\circ}-12'-00''$ West 696.43 feet to intersect the Southern Boundary of Baltimore City established 1918; thence binding on said Southern Boundary of Baltimore City North $60^{\circ}-39'-50''$ West 62.79 feet to intersect a line drawn parallel with and distant 60 feet westerly measured at right angles from the twelfth line of this description; thence reversing said line so drawn and binding thereon and along lines drawn parallel with and distant 60 feet westerly and northwesterly measured radially and at right angles from the eleventh, tenth, ninth, eighth, seventh, sixth, fifth, fourth and third lines respectively of this description, the ten following courses and distances, namely: North $12^{\circ}-12'-00''$ East 678.35 feet, North $13^{\circ}-00'-00''$ East 232.57 feet, by a line curving to the left with a 2705.17 foot radius, the distance of 241.71 feet, which arc is subtended by a chord bearing North $10^{\circ}-26'-25''$ East 241.63 feet, North $07^{\circ}-52'-50''$ East 665.33 feet, North $09^{\circ}-39'-03''$ East 948.66 feet, by a line curving to the right, with a 3600.22 foot radius, the distance of 105.70 feet, which arc is subtended by a chord

bearing North $10^{\circ}-29'-31''$ East 105.70 feet, North $11^{\circ}-19'-59''$ East 453.20 feet, by a line curving to the right, with a 786.53 foot radius, the distance of 236.86 feet, which arc is subtended by a chord bearing North $19^{\circ}-57'-37''$ East 235.97 feet, North $28^{\circ}-35'-15''$ East 522.58 feet and North $24^{\circ}-50'-40''$ East 335.36 feet; thence North $24^{\circ}-05'-30''$ East 217.59 feet to intersect the North $05^{\circ}-51'-40''$ East 512.64 foot line of the aforesaid Baltimore-Washington Expressway as called for in the Ordinance No. 151, approved February 20, 1948 and thence binding reversely on part of said line, South $05^{\circ}-51'-40''$ West 151.96 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Annapolis Road, the location and courses of said Annapolis Road being shown on a plat thereof numbered 165-A-22A, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Nineteenth (19th) day of June, 1961.

Any mention or reference to any streets, roads, avenues, highways, expressways or alleys in this ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, expressways or alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained*, That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this ordinance, the fee simple interests or such other interests as the said

Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Annapolis Road. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, right, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purpose of said Annapolis Road Project.

SEC. 3. *And be it further ordained*, That notwithstanding any other provisions of this Ordinance, the interests in and to the lands to be condemned or otherwise acquired, owned by or in the possession of any Street Railway Company or Railroad Company shall be only such interests as may be necessary for constructing and maintaining in perpetuity said Annapolis Road, in accordance with detailed plans therefore to be approved by the Director of Public Works of Baltimore City and without materially interfering with the operation of said Street Railway or Railroad.

SEC. 4. *And be it further ordained*, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33-A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 5. *And be it further ordained,* That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said Annapolis Road Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 6. *And be it further ordained,* That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said Annapolis Road Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 7. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor.*

No. 1251

(Council No. 1596)

An ordinance amending the terms and provisions of the agreement between the Mayor and City Council of Baltimore and the Associated Jewish Charities of Baltimore, dated June 1, 1949, approved and

described in an Ordinance of the Mayor and City Council of Baltimore No. 1264, approved June 21, 1950, as amended by Ordinance of the Mayor and City Council of Baltimore No. 770, approved June 26, 1953, relating to the extension of Northern Parkway and the improvement of other related highways. The property being exchanged by the City being no longer needed for public use.

WHEREAS, By Agreement, dated June 1, 1949, described in and approved by ordinance of the Mayor and City Council of Baltimore No. 1264, approved June 21, 1950, as said Agreement was amended by ordinance of the Mayor and City Council of Baltimore No. 770, approved June 26, 1953, certain lands therein described were to be conveyed by City to the Associated Jewish Charities of Baltimore not needed for highway use in consideration of the Associated Jewish Charities of Baltimore conveying to the City certain lands for the extension of Northern Parkway and the improvement of other highways in the immediate vicinity; and

WHEREAS, Since the execution of said Agreement, certain revisions have been made to the plans for the extension of Northern Parkway and the improvement of the other highways, requiring a revision of the areas of lands to be exchanged between the City and the Associated Jewish Charities of Baltimore, as hereinafter more particularly set forth. Therefore:

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the aforementioned Agreement between the Mayor and City Council of Baltimore and the Associated Jewish Charities of Baltimore, as amended by the provisions of ordinance of the Mayor and City Council of Baltimore No. 770, approved June 26, 1953, be and the same is hereby amended as follows:

The Mayor and City Council of Baltimore and the Associated Jewish Charities of Baltimore agree that the portions of said Agreement heretofore

executed and carried out shall remain in full force and effect.

CITY agrees to:

1. Condemn and close the portion of the present Greenspring Avenue no longer needed for public use, extending from the southerly side of Northern Parkway, as proposed, to the northern line of the portion of said Avenue heretofore condemned and closed, and, thereafter, convey the portion closed to the Associated Jewish Charities of Baltimore.

2. Condemn and close the portion of Belvedere Avenue, extending westerly from the westerly side of Greenspring Avenue, as now laid out, a distance of 375.22 feet, more or less, and, thereafter, convey the portion closed to the Associated Jewish Charities of Baltimore.

3. Remove from the part of Belvedere Avenue and Greenspring Avenue to be closed all City-owned utilities existing therein and to relocate the City-owned utilities not desired to be abandoned by the City.

THE ASSOCIATED JEWISH CHARITIES OF BALTIMORE agrees to:

1. Grant unto City the parcels of land hereinafter described, in fee simple, for the extension and construction of Northern Parkway, access road from Northern Parkway to Belvedere Avenue, the widening of Greenspring Avenue and of Belvedere Avenue, together with slope easements:

Beginning for Parcel No. 1, at a point on the southwest side of Greenspring Avenue, 80 feet wide, at the distance of 638.18 feet southeasterly from the southwest corner of Greenspring and Rogers Avenues, and running thence binding on the southwest side of said Greenspring Avenue South 35 degrees 38 minutes 50 seconds East 374.12 feet to intersect the southwest side of Northern Parkway, as proposed, thence binding on the southwest side of said Northern Parkway the seven following

courses and distances, namely, North 68 degrees 45 minutes 00 seconds West 80.44 feet, by a line curving to the left, with a 1848.0 foot radius, the distance of 340.28 feet, which arc is subtended by a chord bearing North 74 degrees 01 minutes 30 seconds West 339.80 feet, North 79 degrees 18 minutes 00 seconds West 190.27 feet, by a line curving to the right with a 3545.08 foot radius, the distance of 162.25 feet, which arc is subtended by a chord bearing North 77 degrees 59 minutes 20 seconds West 162.23 feet, North 76 degrees 40 minutes 40 seconds West 100.0 feet, by a line curving to the left, with a 3545.08 foot radius, the distance of 162.25 feet, which arc is subtended by a chord bearing North 77 degrees 59 minutes 20 seconds West 162.23 feet and North 79 degrees 18 minutes 00 seconds West 174.15 feet to intersect the 9th line of the parcel of land conveyed by Henry Cohen and Company to The Maryland Jockey Club, by deed, dated January 9, 1946, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6849, folio 207; thence binding reversely on part of the 9th line of said deed North 39 degrees 58 minutes 44 seconds West 121.66 feet to intersect the southeast side of a 20-foot alley, there situate; thence binding on the southeast side of said Alley North 61 degrees 44 minutes 30 seconds East 36.43 feet to intersect the northeast side of said Northern Parkway, as proposed, thence binding on the northeast side of said Northern Parkway, as proposed, the seven following courses and distances, namely, South 79 degrees 18 minutes 00 seconds East 854.48 feet, by a line curving to the right, with a 1960.0 foot radius, the distance of 148.14 feet, which arc is subtended by a chord bearing South 77 degrees 08 minutes 05 seconds East 148.11 feet, by a line curving to the left, with a 50.0 foot radius, the distance of 34.11 feet, which arc is subtended by a chord bearing North 85 degrees 29 minutes 10 seconds East 33.45 feet, by a line curving to the left, with a 15.0 foot radius, the distance of 19.01 feet, which arc is subtended by a chord bearing North 29 degrees 38 minutes 35 seconds East 17.76 feet, North

6 degrees 39 minutes 20 seconds West 9.74 feet by a line curving to the left, with a 183.00 foot radius, the distance of 22.56 feet, which arc is subtended by a chord bearing North 10 degrees 11 minutes 15 seconds West 22.55 feet and by a line curving to the left, with a 318.77 foot radius, the distance of 57.51 feet, which arc is subtended by a chord bearing North 18 degrees 53 minutes 16 seconds West 57.43 feet to the place of beginning.

Containing 3.025 acres of land, more or less.

Beginning for Parcel No. 2 at the point formed by the intersection of the northwest side of Enslow Avenue, 60 feet wide, and the northeast side of Greenspring Avenue, 80 feet wide, and running thence binding on the northeast side of said Greenspring Avenue North 35 degrees 38 minutes 50 seconds West 90.0 feet; thence by a line curving to the left, with a 922.0 foot radius, the distance of 91.05 feet, which arc is subtended by a chord bearing South 38 degrees 28 minutes 34.5 seconds East 91.01 feet to intersect the northwest side of said Enslow Avenue and thence binding on the northwest side of said Enslow Avenue South 65 degrees 32 minutes 43 seconds West 4.58 feet to the place of beginning.

Containing 0.003 acres of land, more or less.

Beginning for Parcel No. 3 at the point formed by the intersection of the northeast side of Greenspring Avenue, as conveyed by the Associated Jewish Charities of Baltimore to the Mayor and City Council of Baltimore by deed, dated May 11, 1950, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 8189, folio 221, and the southeast side of Enslow Avenue, 60 feet wide, and running thence binding on the southeast side of said Enslow Avenue North 65 degrees 32 minutes 43 seconds East 9.22 feet; thence by a line curving to the left, with a 922.0 foot radius, the distance of 179.77 feet, which arc is subtended by a chord bearing South 50 degrees 49 minutes 51 seconds East 179.49 feet to intersect the northeast side of

said Greenspring Avenue and thence binding on the northeast side of said Greenspring Avenue by a line curving to the right, with a 498.45 foot radius, the distance of 184.83 feet, which arc is subtended by a chord bearing North 53 degrees 24 minutes 26.5 seconds West 183.77 feet to the place of beginning.

Containing 0.029 acres of land, more or less.

Beginning for Parcel No. 4 at the point formed by the intersection of the northeast side of Greenspring Avenue, as originally laid out, 70 feet wide, and the southwest side of Greenspring Avenue as conveyed by the Associated Jewish Charities of Baltimore to the Mayor and City Council of Baltimore by deed, dated May 11, 1950, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 8189, folio 221, and running thence binding on the southwest side of said last mentioned Greenspring Avenue the four following courses and distances, namely, by a line curving to the left, with a 618.35 foot radius, the distance of 95.26 feet, which arc is subtended by a chord bearing South 67 degrees 35 minutes 11.5 seconds East 95.17 feet, South 72 degrees 00 minutes 00 seconds East 197.63 feet, by a line curving to the right, with a 1163.76 foot radius, the distance of 274.20 feet, which arc is subtended by a chord bearing South 65 degrees 15 minutes 00 seconds East 273.57 feet and by a line curving to the right, with a 1150.0 foot radius, the distance of 6.58 feet, which arc is subtended by a chord bearing South 58 degrees 20 minutes 10 seconds East 6.58 feet to intersect the southwest side of Belvedere Avenue, as proposed to be relocated; thence binding on the southwest, south and southeast sides of said Belvedere Avenue, as proposed, the four following courses and distances, namely, by a line curving to the left with a 319.54 foot radius, the distance of 57.41 feet, which arc is subtended by a chord bearing North 75 degrees 52 minutes 11 seconds West 57.33 feet, by a line curving to the left, with a 38.87 foot radius, the distance of 52.73 feet, which arc is subtended by a chord

bearing South 60 degrees 07 minutes 00 seconds West 48.78 feet, South 21 degrees 15 minutes 00 seconds West 99.26 feet and by a line curving to the right, with a 245.0 foot radius, the distance of 0.95 feet, which arc is subtended by a chord bearing South 21 degrees 21 minutes 41 seconds West 0.95 feet to intersect the northwest side of Belvedere Avenue, 60 feet wide; thence binding on the northwest side of said last mentioned Belvedere Avenue South 62 degrees 26 minutes 30 seconds West 163.09 feet to intersect the northwest side of said Belvedere Avenue, as proposed to be relocated; thence binding on the northwest and west sides of said Belvedere Avenue, as proposed, the four following courses and distances, namely, North 62 degrees 22 minutes 10 seconds East 2.69 feet; by a line curving to the left, with a 185.0 foot radius, the distance of 132.77 feet, which arc is subtended by a chord bearing North 41 degrees 48 minutes 35 seconds East 129.94 feet, North 21 degrees 15 minutes 00 seconds East 87.15 feet and by a line curving to the left, with a 28.0 foot radius, the distance of 28.98 feet, which arc is subtended by a chord bearing North 8 degrees 24 minutes 15 seconds West 27.71 feet to intersect the southwest side of Northern Parkway, as proposed; thence binding on the southwest side of said Northern Parkway, the three following courses and distances, namely, North 76 degrees 16 minutes 20 seconds West 62.08 feet, by a line curving to the right, with a 1184.01 foot radius, the distance of 155.45 feet, which arc is subtended by a chord bearing North 72 degrees 30 minutes 40 seconds West 155.33 feet and North 68 degrees 45 minutes 00 seconds West 102.12 feet to intersect the northeast side of said Greenspring Avenue, as originally laid out, and thence binding on the northeast side of said Greenspring Avenue, as originally laid out North 35 degrees 38 minutes 50 seconds West 109.95 feet to the place of beginning.

Containing 0.841 acres of land, more or less.

Beginning for Parcel No. 5 at the point formed by the intersection of the northwest side of Belve-

dere Avenue, 60 feet wide, and the northeast side of Greenspring Avenue as conveyed by the Associated Jewish Charities of Baltimore to the Mayor and City Council of Baltimore by deed, dated May 11, 1950, and recorded among the Land Records of Baltimore City, in Liber M.L.P. No. 8189, folio 221, and running thence binding on the northeast side of said Greenspring Avenue the two following courses and distances, namely, by a line curving to the left with a 1275.0 foot radius, the distance of 113.45 feet, which arc is subtended by a chord bearing North 55 degrees 57 minutes 03 seconds West 113.42 feet and by a line curving to the left, with a 607.37 foot radius, the distance of 47.48 feet, which arc is subtended by a chord bearing North 60 degrees 44 minutes 22 seconds West 47.47 feet, to intersect the north side of Northern Parkway, as proposed; thence binding on the north side of said Northern Parkway, as proposed, by a line curving to the left, with a 1060.01 foot radius, the distance of 67.52 feet, which arc is subtended by a chord bearing South 89 degrees 39 minutes 23 seconds East 67.52 feet to intersect the third line of the parcel of land conveyed by James B. Davidson, et al. to the Associated Jewish Charities of Baltimore by deed, dated June 27, 1946, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6949, folio 138, thence binding on part of the third line of said deed South 44 degrees 39 minutes 35 seconds East 112.89 feet to intersect the northwest side of said Belvedere Avenue and thence binding on the northwest side of said Belvedere Avenue South 62 degrees 26 minutes 30 seconds West 12.96 feet to the place of beginning.

Containing 0.075 acres of land, more or less.

Beginning for Parcel No. 6 at the point formed by the intersection of the southeast side of Belvedere Avenue, 60 feet wide, and the northeast side of Greenspring Avenue as conveyed by the Associated Jewish Charities of Baltimore to the Mayor and City Council of Baltimore by deed, dated May 11, 1950, and recorded among the Land Records of Baltimore

City in Liber M.L.P. No. 8189, folio 221, and running thence binding on the northeast side of said Greenspring Avenue by a line curving to the right, with a 1275.0 foot radius the distance of 529.22 feet, which arc is subtended by a chord bearing South 38 degrees 33 minutes 02.5 seconds East 525.43 feet to intersect the east side of the north to east bound Lane connecting Greenspring Avenue and Northern Parkway, as proposed; thence binding on the east and southeast sides of said Lane the five following courses and distances, namely, North 11 degrees 33 minutes 55 seconds West 213.59 feet, by a line curving to the right, with a 216.17 foot radius, the distance of 29.26 feet, which arc is subtended by a chord bearing North 7 degrees 41 minutes 17.5 seconds West 29.23 feet, by a line curving to the right, with a 380.0 foot radius, the distance of 400.0 feet, which arc is subtended by a chord bearing North 26 degrees 20 minutes 40 seconds East 381.78 feet, North 56 degrees 30 minutes 00 seconds East 137.91 feet and by a line curving to the right, with a 700.0 foot radius, the distance of 72.59 feet, which arc is subtended by a chord bearing North 59 degrees 28 minutes 15 seconds East 72.56 feet, to intersect the southeast side of Northern Parkway, as proposed, 100 feet wide; thence binding on the southeast side of said Northern Parkway the two following courses and distances, namely, North 62 degrees 26 minutes 30 seconds East 605.35 feet and North 60 degrees 40 minutes 30 seconds East 233.66 feet to intersect the second line of the secondly described parcel of land which was conveyed by Bruce Cotton, widower, to the Mayor and City Council of Baltimore by deed, dated March 8, 1943, and recorded among the aforesaid Land Records in Liber M.L.P. No. 6432, folio 498; thence binding on part of the second line of the secondly described parcel of said deed South 87 degrees 56 minutes 40 seconds West 87.30 feet to intersect the southeast side of said Belvedere Avenue and thence binding on the southeast side of said Belvedere Avenue, the two following courses and distances, namely, South 60 degrees 40 minutes 30 seconds West 155.45 feet and South 62 degrees 26

minutes 30 seconds West 1291.83 feet to the place of beginning.

Containing 2.865 acres of land, more or less.

Beginning for Parcel No. 7 at the point formed by the intersection of the north side of Belvedere Avenue, 60 feet wide, and the third line of the parcel of land conveyed by The Maryland Society for the Prevention of Cruelty to Animals of Baltimore City to the Associated Jewish Charities of Baltimore by deed, dated April 15, 1946, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6902, folio 367, and running thence binding on the north side of said Belvedere Avenue North 76 degrees 13 minutes 10 seconds East 534.81 feet to intersect the north side of Belvedere Avenue, as proposed to be widened; thence binding on the north side of said last mentioned Belvedere Avenue, the two following courses and distances, namely, by a line curving to the left, with a 590.0 foot radius, the distance of 154.05 feet, which arc is subtended by a chord bearing South 83 degrees 41 minutes 57 seconds West 153.61 feet and South 76 degrees 13 minutes 10 seconds West 382.49 feet to intersect the third line of the aforesaid deed, and thence binding reversely on part of the third line of said deed South 13 degrees 42 minutes 12 seconds East 20.0 feet to the place of beginning.

Containing 0.222 acres of land, more or less.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The property being exchanged by the City being no longer needed for public use.

Together with the right to create, use and maintain on land of the Associated Jewish Charities of Baltimore herein, as more particularly shown on Survey Plat, dated February 10, 1960, revised October 11, 1960 and October 14, 1960, No. R. E. 30-550, on file in the office of the Department of Public Works, Bureau of Surveys, File

123-A-26G, slope rights, such slope rights being for the construction and maintenance of slopes with a ratio 2 : 1, with roundings at top and bottom and swales for the control of erosion and drainage of water falling on said slopes, as are necessary to retain the highway and/or adjacent property.

And, it is further understood and agreed that at such time as the contour of the remaining portion of the property owned by The Associated Jewish Charities of Baltimore and the land over which this easement is granted is changed so that the easement required for slopes is no longer necessary to support or protect the proposed Northern Parkway, then said easement for slopes shall cease to be effective.

It is agreed by and between the Mayor and City Council of Baltimore and the Associated Jewish Charities of Baltimore that the lands herein agreed to be conveyed to the Mayor and City Council of Baltimore by the Associated Jewish Charities of Baltimore are in lieu of the lands agreed to be conveyed by the Associated Jewish Charities of Baltimore to the Mayor and City Council of Baltimore under the aforesaid agreement, dated June 1, 1949, as amended by Ordinance No. 770, approved June 26, 1953, except that any exchanges of lands heretofore made by virtue of deed recorded among the Land Records of Baltimore City shall remain in full force and effect and not be altered by the terms of this ordinance.

SEC. 2. *And be it further ordained*, That any of the terms and provisions set out in Ordinance No. 1264, approved June 21, 1950, and Ordinance No. 770, approved June 26, 1953, inconsistent with the terms and provisions herein set forth, except as to the portions of said agreement heretofore fully executed be and the same are hereby amended to the extent of any conflict herewith.

SEC. 3. *And be it further ordained*, That the Mayor and Board of Estimates of Baltimore City be

and they are hereby authorized in the name of the Mayor and City Council of Baltimore to execute and deliver such deeds and other instruments necessary to carry out the terms and provisions of this ordinance.

SEC. 4. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*.

No. 1252

(Council No. 1651)

An ordinance granting permission and authority to Loyola Federal Savings and Loan Association, a body corporate, to construct, maintain and operate an electric snow melting system in the footway areas of the southeast intersection of Howard and Mulberry Streets.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission and authority be and the same are hereby granted to Loyola Federal Savings and Loan Association, a body corporate, its successors and assigns, hereinafter referred to as the Grantee, to construct, maintain and operate, at its own cost and expense, for a period not exceeding 25 years, an electric snow melting system and its appurtenances, for the purpose of keeping the footway areas of the southeast intersection of Howard and Mulberry Streets clear and free of snow and ice, said system to consist of a series of insulated electric coils embedded in concrete together with the necessary controls and switches; the said electric heating system to be installed within the footway areas of

Howard Street, from the south curb line of Mulberry Street to a point about 54 feet east thereof, and of Mulberry Street from the east curb line of Howard Street to a point about 106 feet east thereof.

SEC. 2. *And be it further ordained*, That the said electric snow melting system and its appurtenances shall be constructed in accordance with the Building Code of Baltimore City; and shall be constructed and completed under the supervision and to the satisfaction of the Highways Engineer of Baltimore City or his duly authorized representative and shall be at all times hereafter subject to the regulation of, and control by, the Highways Engineer.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power at all times to exercise in the interest of the public full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof.

SEC. 4. *And be it further ordained*, That said franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained*, That the said Grantee, its successors and assigns, shall maintain the said electric snow melting system and its appurtenances in good condition as long as it or they remain in said street.

SEC. 6. *And be it further ordained*, That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise privileges hereby granted, the sum of Ten Dollars (\$10.00) per annum, all charges to be payable in advance during the continuance of said franchise or privilege herein granted.

SEC. 7. *And be it further ordained,* That non-compliance, at any time or times, with any of the terms or conditions of the grant hereby made, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. *And be it further ordained,* That the Mayor of Baltimore shall have the right, at any time or times, whenever in his judgment the public interests demand, to revoke any or all of the rights and privileges hereby granted, and upon the receipt of a notice in writing to that effect from the Mayor of Baltimore by the Grantee hereunder, its successors or assigns, all such rights shall cease and determine.

SEC. 9. *And be it further ordained,* That in the event of any revocation, forfeiture and/or termination of the rights and privileges by this ordinance granted said Grantee, its successors and assigns, shall, at its or their expense, promptly remove said electric snow melting system and its appurtenances and shall, also, at its or their expense, promptly restore and repave said footway areas of said streets in a manner satisfactory to the Highways Engineer of Baltimore City, or his duly authorized representative.

SEC. 10. *And be it further ordained,* That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages or expenses to which said Mayor and City Council may, from time to time, be subjected, on account of, by reason of or in anywise resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, reconstruction, repair, loca-

tion, relocation or removal of said electric snow melting system and its appurtenances, or any of them; and/or

(b) Any failure on the part of said Grantee, its successors and assigns, to promptly and properly perform any or all of their duties or obligations under the terms and provisions of this ordinance.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from the date of its passage; provided, however, that if the work of constructing said electric snow melting system is begun in advance of the passage and approval of this ordinance, the franchise charge therefor shall be effective as of the date of beginning of said construction.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*.

No. 1253

(Council No. 1716)

An ordinance granting permission and authority to the Methodist Hospital Association, Incorporated, a body corporate, to construct, maintain and operate a galvanized steel electric conduit line in and across the bed of Linden Avenue about 172 feet North of W. Madison Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission and authority be and the same are hereby granted to The Methodist Hospital Association, Incorporated, a body corporate, its successors and assigns, hereinafter referred to as Grantee, to construct, maintain and operate, at its own cost and expense, for a period of not exceeding 25 years, a 3½-inch galvanized steel electric conduit line and its appurtenances, for the purpose of supplying electricity to the Nurses' Home

of Grantee located on the west side of Linden Avenue and known as 809-811 N. Eutaw Street, said conduit line to be installed in and across the bed of Linden Avenue, the center line of same being described as follows:

Beginning at a point located on the east building line of Linden Avenue about 172 feet 2 inches from the north building line of W. Madison Street, thence running northwesterly in and across the bed of Linden Avenue about 76 feet to a point located on the west building line of said Linden Avenue about 199 feet 2 inches from the said north building line of W. Madison Street.

Said conduit line to be installed with a minimum cover of 2 feet.

SEC. 2. *And be it further ordained*, That the said conduit line and its appurtenances shall be constructed in accordance with the Building Code of Baltimore City; and shall be constructed and completed under the supervision and to the satisfaction of the Highways Engineer of Baltimore City or his duly authorized representative and shall be at all times hereafter subject to the regulation of, and control by, the Highways Engineer.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power at all times to exercise in the interest of the public full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof.

SEC. 4. *And be it further ordained*, That said franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained*, That the said Grantee, its successors and assigns, shall maintain

the said conduit line and its appurtenances in good condition as long as it or they remain in said street.

SEC. 6. *And be it further ordained*, That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise privileges hereby granted, the flat sum of Five Dollars (\$5.00) for the aforesaid 25 year period per annum, all charges to be payable in advance during the continuance of said franchise or privilege herein granted.

SEC. 7. *And be it further ordained*, That non-compliance, at any time or times, with any of the terms or conditions of the grant hereby made, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. *And be it further ordained*, That the Mayor of Baltimore shall have the right, at any times or times, whenever in his judgment the public interests demand, to revoke any or all of the rights and privileges hereby granted, and upon the receipt of a notice in writing to that effect from the Mayor of Baltimore by the Grantee hereunder, its successors or assigns, all such rights shall cease and determine.

SEC. 9. *And be it further ordained*, That in the event of any revocation, forfeiture and/or termination of the rights and privileges by this ordinance granted said Grantee, its successors and assigns, shall, at its or their expense, promptly remove said conduit line and its appurtenances and shall, also, at its or their expense, promptly restore and repave said street in a manner satisfactory to the Highways Engineer of Baltimore City, or his duly authorized representative.

SEC. 10. *And be it further ordained*, That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages or expenses to which said Mayor and City Council may, from time to time, be subjected, on account of, by reason of, or in anywise resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, reconstruction, repair, location, relocation or removal of said galvanized steel electric conduit line and its appurtenances, or any of them; and/or

(b) Any failure on the part of said Grantee, its successors and assigns, to promptly and properly perform any or all of their duties or obligations under the terms and provisions of this ordinance.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from the date of its passage; provided, however, that if the work of constructing said conduit line is begun in advance of the passage and approval of this ordinance, the franchise charge therefor shall be effective as of the date of beginning of said construction.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*.

No. 1254

(Council No. 1834)

An ordinance granting permission to the Department of Education of Baltimore City to construct, erect and maintain a reinforced concrete retaining wall with footings on the east side of Webster Street from West Lanvale Street south to an unnamed alley there situate, being adjacent to School No. 303 at 811 West Lanvale Street.

WHEREAS, a portion of the existing stone wall on the east side of Webster Street adjacent to School No. 303 has collapsed and the remainder of said wall is in a dangerously deteriorated condition; and

WHEREAS, the Department of Education desires to eliminate this dangerous condition by erecting and maintaining a new reinforced concrete wall against the face of the existing wall; and

WHEREAS, in order to accomplish this, it is necessary to use about two foot along the edge of the surface of Webster Street and to extend footings in said street about 10 feet; and

WHEREAS, The erection of said reinforced concrete retaining wall in said portion of Webster Street will not interfere with any present or contemplated use of said highway.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission be and the same is hereby granted to the Department of Education of Baltimore City to construct, erect and maintain a reinforced concrete retaining wall approximately 220 feet long and 15 feet high on the east side of Webster Street adjacent to School No. 303, the said retaining wall to extend approximately two feet beyond the building line on the surface of Webster Street and its footings to extend approximately 10 feet beyond the building line under said street, said wall to be erected under the supervision and to the satisfaction of the Building Inspection Engineer and/or the Highways Engineer of Baltimore City in accordance with the building laws and ordinances of said City.

SEC. 2. *And be it further ordained*, That this ordinance will take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1255

(Council No. 1872)

An ordinance to repeal, subject to certain conditions, Ordinance No. 498, approved November 25, 1960, which authorizes Amrhein Brothers Company, to construct, maintain and use a one-story enclosed superstructure or bridgeway above and across Sarah Ann Street about 97 feet east of North Poppleton Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance No. 498, approved November 25, 1960, and entitled "An Ordinance granting permission and authority to the Amrhein Brothers Company, a body corporate, to construct, maintain, and use a one-story enclosed superstructure or bridgeway above and across Sarah Ann Street, about 97 feet east of North Poppleton Street," be and the same is hereby repealed; provided, however, that no claims, charges, and/or liabilities which have arisen, accrued or become due under said Ordinance No. 498, approved November 25, 1960, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1256

(Council No. 2007)

An ordinance to repeal and re-ordain, with amendments, Section 97 (1a) of Article 38 of the

Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", as said section was ordained by Ordinance 991 approved June 4, 1957, amending the ordinance which makes Dallas Street from Hoffman Street to North Avenue a one-way street for vehicular traffic in order to make Dallas Street from Eager Street to North Avenue a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 97 (1a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", as said section was ordained by Ordinance 991 approved June 4, 1957, be and it is hereby repealed and re-ordained, with amendments, to read as follows:

97.

(1a) Dallas Street, from Eager Street to North Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1257

(Council No. 2008)

An ordinance to add a new Section 121 (74a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 121 (74) thereof, prohibiting the parking of vehicles

at any time on the west side of Clinton Street from a point 50 feet north of Pier 6 to a point 50 feet south of Pier 1.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 121 (74a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 121 (74) thereof, and to read as follows:

121.

(74a) No vehicle is permitted to be parked at any time on the west side of Clinton Street from a point 50 feet north of Pier 6 to a point 50 feet south of Pier 1.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1258

(Council No. 2009)

An ordinance to repeal Section 130 (45) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", and to ordain a new Section 130 (45) in lieu thereof to stand in the place of the section so repealed, amending the provisions concerning an exclusive right of parking on the easterly side of Linden Avenue for physicians and surgeons making professional calls at Maryland General Hospital.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 130 (45) of

Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", be and it is hereby repealed and that a new Section 130 (45) be and it is hereby ordained in lieu thereof to stand in the place of the section so repealed, and to read as follows:

130.

(45). Physicians and surgeons making professional calls at Maryland General Hospital have the exclusive right to park vehicles on the easterly side of Linden Avenue between the intersection of Madison Street and a point 490 feet northerly therefrom. Every such vehicle shall have affixed thereto a suitable identification insignia. It is unlawful for any person other than such physician or surgeon to park a vehicle on this portion of the easterly side of Linden Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1259

(Council No. 2010)

An ordinance to add a new Section 131 (69a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 131 (69) thereof, regulating the parking of vehicles on the south side of Monument Street between Dean Street and Haven Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Section 131 (69a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regu-

lations", sub-title "Parking", to follow immediately after Section 131 (69) thereof, and to read as follows:

131.

(69a) No vehicle is permitted to be parked longer than two hours continuously between the hours of 8:00 a.m. and 6:00 p.m. on any day on the south side of Monument Street between Dean Street and Haven Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1260

(Council No. 2011)

An ordinance to add a new Section 130 (54b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 130 (54a) thereof, prohibiting the parking of vehicles at any time on the easterly side of Loch Raven Boulevard between Woodbourne Avenue and the first Driveway northerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Section 130 (54b) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 130 (54a) thereof, and to read as follows:

130.

(54b) No vehicle is permitted to be parked at any time on the easterly side of Loch Raven Boulevard

between Woodbourne Avenue and the first Drive-way northerly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1261

(Council No. 2012)

An ordinance to repeal Section 163 (3b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", as said section was ordained by Ordinance No. 628 approved February 27, 1961, repealing the ordinance which provides for the installation and operation of parking meters on the east side of Belair Road between Parkside Drive and Shamrock Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 163 (3b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", as said section was ordained by Ordinance No. 628 approved February 27, 1961, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1262

(Council No. 2013)

An ordinance to add a new Section 137 (18a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 137 (18) thereof, prohibiting the stopping of vehicles at any time on San Martin Drive between University Parkway and Wyman Park Drive.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Section 137 (18a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 137 (18) thereof, and to read as follows:

137.

(18a) No vehicle is permitted to be stopped at any time on either side of San Martin Drive between University Parkway and Wyman Park Drive.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1263

(Council No. 2014)

An ordinance to repeal Section 123 (54a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 799, approved May 19, 1961, repealing the ordinance regulating the stopping of vehicles on the

easterly side of Eutaw Place between Biddle Street and Druid Park Lake Drive.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 123 (54a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 799, approved May 19, 1961, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1264

(Council No. 2015)

An ordinance to repeal Sections 131 (21a), 131 (21b) and 131 (21c) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance 798 approved May 19, 1961, repealing ordinances which regulate the stopping of vehicles on the westerly side of Madison Avenue between Whitelock Street and North Avenue, the easterly side of Madison Avenue between North Avenue and Bloom Street, and the westerly side of Madison Avenue between Bloom Street and Eutaw Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 131 (21a), 131 (21b) and 131 (21c) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance 798 approved May 19, 1961, be and they are hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1265

(Council No. 2016)

An ordinance to repeal Section 141 (65) of Article 5 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", repealing the ordinance which regulates the standing of vehicles on the west side of Woodbrook Avenue between Whitelock Street and Traction Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 141 (65) of Article 5 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1266

(Council No. 2017)

An ordinance to repeal Section 136 (17) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was amended by Ordinance 938

approved June 5, 1957, repealing an ordinance regulating the stopping of vehicles on the west side of Reisterstown Road between Seven Mile Lane and Strathmore Avenue; and to ordain in lieu thereof new Sections 136 (17), 136 (17a), 136 (17b) and 136 (17c) to stand in the place of the section so repealed, regulating the stopping and parking of vehicles on certain portions of Reisterstown Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 136 (17) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was amended by Ordinance 938 approved June 5, 1957, be and it is hereby repealed; and that new Sections 136 (17), 136 (17a), 136 (17b) and 136 (17c) be ordained to stand in the place of the section so repealed, and to read as follows:

136.

(17). No vehicle is permitted to be stopped between the hours of 7:00 a. m. and 9:30 a. m. on any day except Sundays on the westerly side of Reisterstown Road between Seven Mile Lane and Brookhill Road.

(17a). No vehicle is permitted to be stopped at any time on the westerly side of Reisterstown Road between Brookhill Road and Patterson Avenue.

(17b). No vehicle is permitted to be stopped between the hours of 7:00 a. m. and 9:30 a. m. on any day except Sundays on the westerly side of Reisterstown Road between Patterson Avenue and Strathmore Avenue.

(17c) No vehicle is permitted to be parked at any time on the easterly side of Reisterstown Road between Patterson Avenue and Brookhill Road.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1267

(Council No. 2018)

An ordinance to repeal and re-ordain, with amendments, Section 99 (12) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No. 100, approved November 16, 1959, amending the ordinance which makes a one-way street of Flowerton Road from Allendale Street to Kevin Street in order to make a one-way street of Flowerton Road from Allendale Street to Woodington Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 99 (12) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No. 100, approved November 16, 1959, be and it is hereby repealed and re-ordained, with amendments, to read as follows:

99.

(12). Flowerton Road, from Allendale Street to Woodington Road, is hereby declared to be on one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1268

(Council No. 2019)

An ordinance to repeal Section 177 (1a) of Article 38 of the Baltimore City Code (1950 Edition),

title "Traffic Regulations", sub-title "Parking Meters", as said section was ordained by Ordinance 595, approved February 14, 1961, repealing the ordinance which provides for the installation and operation of parking meters on the west side of Payson Street from Fayette Street to Baltimore Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 177 (1a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", as said section was ordained by Ordinance 595, approved February 14, 1961, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1269

(Council No. 2020)

An ordinance to repeal Section 21 of Article 21 of the Baltimore City Code (1950 Edition), title "Markets", as said Article was revised by Ordinance 421, approved May 15, 1956, and to ordain a new Section 21 in lieu thereof, to stand in the place of the section so repealed, amending the ordinance with respect to certain markets in Baltimore City in order to revise the defined limits of Hollins Market.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 21 of Article 21 of the Baltimore City Code (1950 Edition), title "Markets", as said Article was revised by Ordi-

nance 421, approved May 15, 1956, be and it is hereby repealed; and that a new Section 21 be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

21. The limits of Hollins Market shall include the whole of the lot belonging to the City on which it stands, together with both sides and the bed of Hollins Street from Carrollton Avenue to the curb line of the west side of Arlington Avenue.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1270

(Council No. 2021)

An ordinance to add Section 169 (4) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Hollins Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Hollins Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 169 (4) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:*

169.

(4). Hollins Street, both sides, from Schroeder Street to Mt. Clare Street, between the hours of 8 A. M. and 6 P. M.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1271

(Council No. 2022)

An ordinance to repeal Section 123 (41) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", repealing the ordinance which prohibits the standing of vehicles on the east side of Emory Street between Pratt Street and Washington Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 123 (41) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", be and it is hereby repealed.*

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved June 19, 1962

J. HAROLD GRADY, *Mayor*

No. 1272

(Council No. 1949)

An Ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 269 of the Acts of the General Assembly of Maryland of

1957) to issue its certificates of indebtedness to an amount not exceeding One Million Two Hundred Thousand Dollars (\$1,200,000.00), the proceeds of the same to be used for the acquisition, by purchase or condemnation or any other legal means, of land or property in the City of Baltimore, and establishing thereon or therein, or on or in land or property now or hereafter owned by the Mayor and City Council of Baltimore, new playgrounds, playfields, recreational centers or recreational buildings, and for the redesign, development and improvement of park, school and other properties now or hereafter owned by the Mayor and City Council of Baltimore for recreational purposes, and for the acquisition and installation of equipment for any new or redesigned, redeveloped or improved playground, playfield, recreational center or building, subject to certain restrictions; authorizing the submission of this Ordinance to the legal voters of Baltimore City, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore and by the municipal agency designated in the Annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 269 of the Acts of the General Assembly of Maryland of 1957, the Mayor and City Council of Baltimore is authorized to issue its certificates of indebtedness to an amount not exceeding Two Million Seven Hundred and Fifty Thousand Dollars (\$2,750,000.00) in the manner and upon the terms set forth in said Act, the proceeds thereof, not exceeding the par value of said certificates of indebtedness, to be used for recreation and park purposes as authorized by said Act; and

WHEREAS, under the provisions of Ordinance No. 1588 of the Mayor and City Council of Baltimore,

approved July 10, 1958, the certificates of indebtedness of said Mayor and City Council of Baltimore, to the amount of One Million One Hundred Thousand Dollars (\$1,100,000.00), were authorized to be issued for the purposes provided in said Chapter 269 of the Acts of the General Assembly of Maryland of 1957, of which Eight Hundred Thousand Dollars (\$800,000.00) were to be used for new playgrounds, playfields, recreational centers or recreational buildings and for the development and improvement of park, school and other properties for recreational purposes, and Three Hundred Thousand Dollars (\$300,000.00) were to be used for the renovation or modernization of public park or recreational buildings; and

WHEREAS, additional funds are now needed for recreational purposes; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Commissioners of Finance be, and they are hereby authorized and directed to issue certificates of indebtedness of the Mayor and City Council of Baltimore, to an amount not exceeding One Million Two Hundred Thousand Dollars (\$1,200,000.00), from time to time, as the same may be required for the purposes hereinafter named and said certificates of indebtedness shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds of the sale of said certificates of indebtedness shall be used for the purposes hereinafter named, provided that this ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this ordinance.

SEC. 2. *And be it further ordained*, That said certificates of indebtedness shall be issued in denominations of not less than One Thousand Dollars (\$1,000.-00) each, but may be in sums of One Thousand

Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series, the first series amounting to One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October, 1965, and a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1968; a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of October, 1969, and a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1974; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October 1975, and a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1979, when the last series shall be redeemable.

Said certificates of indebtedness, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said certificates of indebtedness are issued, the interest to be payable semi-annually on the first day of April and the first day of October, in each year after issuance, during the respective periods that the series in which said certificates of indebtedness are issued may run.

SEC. 3. *And be it further ordained*, That a sum sufficient to meet the interest on any outstanding certificates of indebtedness as well as the principal of the current maturing series of said certificates, shall be annually collected by taxation and that a rate sufficient to produce said sum shall be levied in each year upon every one hundred dollars' worth of assessable property in the City of Baltimore, and in the proper proportion for any greater or less amount.

SEC. 4. *And be it further ordained,* That this ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962.

SEC. 5. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 6. *And be it further ordained,* That the proceeds of sale of the certificates of indebtedness hereby authorized to be issued, not exceeding the par value thereof, shall be used for the acquisition, by purchase or condemnation or any other legal means, of land or property in the City of Baltimore, and establishing thereon or therein, or on or in land or property now or hereafter owned by the Mayor and City Council of Baltimore, new playgrounds, playfields, recreational centers or recreational buildings, and for the redesign, development and improvement of park, school and other properties now or hereafter owned by the Mayor and City Council of Baltimore for recreational purposes, and for the acquisition and installation of equipment for any new or redesigned, redeveloped or improved playground, playfield, recreational center or building.

No part of the proceeds of sale of the certificates of indebtedness shall be used for, or in connection with, reconstructing, enlarging, extending, improving, renovating, modernizing or adding to the

existing Memorial Stadium, located in Venable Park, or any facility appurtenant thereto.

SEC. 7. *And be it further ordained,* That the expenditure of the proceeds of sale of the certificates of indebtedness herein authorized shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962

J. HAROLD GRADY, *Mayor*

No. 1273

(Council No. 1950)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 208 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 — Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding Nine Million Two Hundred and Fifty Thousand Dollars (\$9,250,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the purpose of extending, enlarging, developing and improving the municipal water supply and the water system of Baltimore City, including, but not limited to, the construction, reconstruction and extension of transmission conduits, tunnels, and distribution mains, the increasing of the source or sources of supply, the construction of additional storage

reservoirs, additions to and extensions of existing reservoirs, the construction of additional pumping stations, filter basins or plants, additions to and extensions of existing pumping stations, filter basins or plants, any or all of the work to be done either within or outside of the boundary lines of Baltimore City, and the doing of all things necessary, proper or expedient to secure a full and adequate supply of water for the City of Baltimore and its inhabitants and such other persons or other legal entities as may now or hereafter be lawfully furnished water by the Mayor and City Council of Baltimore; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 208 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its Certificates of Indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Eighteen Million Five Hundred Thousand Dollars (\$18,500,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for the purpose of extending, enlarging, developing and improving the municipal water supply and the water

system of Baltimore City, as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Nine Million Two Hundred and Fifty Thousand Dollars (\$9,250,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained,* That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in twenty-five (25) yearly series, the first series amounting to Four Hundred Thousand Dollars (\$400,000.00) to be redeemable on the fifteenth day of September, 1965, and a series of Four Hundred Thousand Dollars (\$400,000.00) to be redeemable on the fifteenth day of September of each succeeding year until and including the year 1977; a series of Three Hundred Thousand Dollars (\$300,000.00) to be redeemable on the fifteenth day of September, 1978, and a series of Three Hundred Thousand Dollars (\$300,000.00) to be redeemable

on the fifteenth day of September of each succeeding year until and including the year 1984; a series of Three Hundred Fifty Thousand Dollars (\$350,000.00) to be redeemable on the fifteenth day of September, 1985; a series of Four Hundred Thousand Dollars (\$400,000.00) to be redeemable on the fifteenth day of September, 1986; and a series of Four Hundred Thousand Dollars (\$400,000.00) to be redeemable on the fifteenth day of September of each succeeding year until and including the year 1989, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of March and the fifteenth day of September, in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds;

and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have

the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th of November, 1962.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value

thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the purpose of extending, enlarging, developing and improving the municipal water supply and the water system of Baltimore City, including, but not limited to, the construction, reconstruction and extension of transmission conduits, tunnels, and distribution mains, the increasing of the source or sources of supply, the construction of additional storage reservoirs, additions to and extensions of existing reservoirs, the construction of additional pumping stations, filter basins or plants, additions to and extensions of existing pumping stations, filter basins or plants, any and all of the work to be done either within or outside of the boundary lines of Baltimore City, and the doing of all things necessary, proper or expedient to secure a full and adequate supply of water for the City of Baltimore and its inhabitants and such other persons or other legal entities as may now or hereafter be lawfully furnished water by the Mayor and City Council of Baltimore.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore; and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962

J. HAROLD GRADY, *Mayor*

No. 1274

(Council No. 1951)

An Ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 207 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962, Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding Two Million One Hundred and Fifty Thousand Dollars (\$2,150,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorney's fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, located within or outside the boundary lines of Baltimore City, and for establishing, erecting, constructing and equipping a new modern and adequate incinerator or reduction plant for the disposal of rubbish, refuse and/or garbage and any and all facilities and appurtenances necessary or useful in connection with the use and operation of such modern incinerator or reduction plant on said land or property or on any other land or property now or hereafter owned or controlled by the Mayor and City Council of Baltimore, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance

with the provisions of the charter of the Mayor and City Council of Baltimore, and by the Municipal Agency designated in the annual ordinances of estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 207 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its Certificates of Indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Two Million One Hundred and Fifty Thousand Dollars (\$2,150,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for establishing a new modern and adequate incinerator or reduction plant for the disposal of rubbish and garbage, as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Two Million One Hundred and Fifty Thousand Dollars (\$2,150,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of

Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained,* That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series, the first series amounting to Two Hundred Thousand Dollars (\$200,000.00) to be redeemable on the first day of December, 1965; a series of Three Hundred Thousand Dollars (\$300,000.00) to be redeemable on the first day of December, 1966; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of December, 1967; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of December, 1968; a series of One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of December, 1969, and a series of One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of December of each succeeding year until and including the year 1975; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of December, 1976, and a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of December of each succeeding year until and including the year 1979, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at the time when any of said bonds are issued, the interest to be payable semi-annually on the first day of June and the first day of December, in each year, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained,* That a majority of the Commissioners of Finance of the Mayor

and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to

defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained*, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained*, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th of November, 1962.

SEC. 7. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorney's fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, located within or outside the boundary lines of Baltimore City, and for establishing, erecting, constructing and equipping a new modern and adequate incinerator or reduction plant for the disposal of rubbish, refuse and/or garbage and any and all facilities and appurtenances necessary or useful in connection with the use and operation of such modern incinerator or reduction plant on said land or property or on any other land or property now or hereafter owned or controlled by the Mayor and City Council of Baltimore, and for doing any and all things necessary, proper or expedient in con-

nection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962

J. HAROLD GRADY, *Mayor*

No. 1275

(Council No. 1952)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 214 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962—Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding nine million dollars (\$9,000,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the purpose of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City, including, but not limited to, the construction of additional sewage disposal plants, pumping stations and other appurtenances, the alteration, repair and improvement of existing sewage disposal plants, pumping stations and other ap-

purtenances, and the acquisition by purchase or condemnation of any and all sanitary and storm water sewers, sewage disposal plants, pumping stations and other appurtenances, as well as of any and all land and property, and of any right, interest, franchise, easement or privilege therein, as may be necessary for any or all of the above mentioned purposes, and any or all of said work or acquisition of property may be done either within or outside of the boundary lines of Baltimore City; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual ordinances of estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 214 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Twelve Million Dollars (\$12,000,000.-00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for the purpose of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City, as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Nine Million Dollars (\$9,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in twenty-five (25) yearly series, the first series amounting to Five Hundred Thousand Dollars (\$500,000.00) to be redeemable on the fifteenth day of September, 1966; a series of Four Hundred Thousand Dollars (\$400,000.00) to be redeemable on the fifteenth day of September, 1967; a series of Three Hundred Thousand Dollars (\$300,000.00) to be redeemable on the fifteenth day of September, 1968, and a series of Three Hundred Thousand Dollars (\$300,000.00) to be redeemable on the fifteenth day of September of each succeeding year until and including the year 1978; a series of Four Hundred Thousand Dollars (\$400,000.00) to be redeemable on the fifteenth day of September, 1979, and a series of Four Hundred Thousand Dollars

(\$400,000.00) to be redeemable on the fifteenth day of September of each succeeding year until and including the year 1990, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at the time when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of March and the fifteenth day of September, in each year, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor

and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th of November, 1962.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys'

fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the purpose of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City, including, but not limited to, the construction of additional sewage disposal plants, pumping stations and other appurtenances, the alteration, repair and improvement of existing sewage disposal plants, pumping stations and other appurtenances, and the acquisition by purchase or condemnation of any and all sanitary and storm water sewers, sewage disposal plants, pumping stations and other appurtenances, as well as of any and all land and property, and of any right, interest, franchise, easement or privilege therein, as may be necessary for any or all of the above mentioned purposes, and any or all of said work or acquisition of property may be done either within or outside of the boundary lines of Baltimore City.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962

J. HAROLD GRADY, *Mayor*

No. 1276

(Council No. 1954)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 210

of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962—Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding one million two hundred and fifty thousand dollars (\$1,250,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorney's fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein located within the area bounded on the east by Jones Falls, on the north by the south side of Fayette Street, on the west by the east side of Gay Street, and on the south by the north side of Lombard Street, and for establishing, constructing, erecting and equipping on any land or property now owned or controlled, or hereafter owned or controlled, by the Mayor and City Council of Baltimore within the area hereinbefore described, or within the site of the present Baltimore City Jail, buildings or structures to be used for or in connection with a detention building for women and all facilities and appurtenances necessary or useful in connection with the use and operation of such buildings or structures, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and

by the municipal agency designated in the annual ordinances of estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 210 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its Certificates of Indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Three Million Dollars (\$3,000,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for establishing, constructing, erecting and equipping a Rehabilitation Center for Alcoholics and Indigents and a Detention Building for Women and all facilities and appurtenances necessary or useful in connection with the use and operation of such buildings or structures, as authorized by said Act; and

WHEREAS, funds are now needed for establishing, constructing, erecting and equipping a Detention Building for Women; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding one Million Two Hundred and Fifty Thousand Dollars (\$1,250,000.-00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance

shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series, the first series amounting to Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of December, 1965; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of December, 1966, and a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of December of each succeeding year until and including the year 1975; a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of December, 1976, and a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of December of each succeeding year until and including the year 1979, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at the time when any of said bonds are issued, the interest to be payable semi-annually on the first day of June and the first day of December in each year, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of November, 1962.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of

Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorney's fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, located within the area bounded on the east by Jones Falls, on the north by the south side of Fayette Street, on the west by the east side of Gay Street, and on the south by the north side of Lombard Street, and for establishing, constructing, erecting and equipping on any land or property now owned or controlled, or hereafter owned or controlled, by the Mayor and City Council of Baltimore within the area hereinbefore described, or within the site of the present Baltimore City Jail, buildings or structures to be used for or in connection with a Detention Building for Women and all facilities and appurtenances necessary or useful in connection with the use and operation of such buildings or structures, and for doing any and all things necessary, proper or expedient

in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962

J. HAROLD GRADY, *Mayor*

No. 1277

(Council No. 1955)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 9 of the Acts of the General Assembly of Maryland of 1944 — Special Session of March, 1944), to issue its certificates of indebtedness to an amount not exceeding Nine Hundred Thousand Dollars (\$900,000.00), the proceeds of the same to be used for the acquisition, by purchase or condemnation of land in the City of Baltimore, and erecting thereon, or on land now owned by the Mayor and City Council of Baltimore, a building or structure to be used for the office, functions and activities of the Chief Medical Examiner and to be known as the Medical Examiners' Building; authorizing the submission of this ordinance to the legal voters of Baltimore City for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certifi-

cates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 9 of the Acts of the General Assembly of Maryland of 1944, (Special Session of March, 1944), the Mayor and City Council of Baltimore is authorized to issue its certificates of indebtedness to an amount not exceeding Seven Million Dollars (\$7,000,000.00) in the manner and upon the terms set forth in said Act, the proceeds thereof, not exceeding the par value of said certificates of indebtedness, to be used for the acquisition by purchase or condemnation of land in the City of Baltimore, and erecting thereon, or on land now owned by the Mayor and City Council of Baltimore, such building, buildings, structure or structures as may be provided from time to time by ordinance or ordinances of the Mayor and City Council of Baltimore; and

WHEREAS, under the provisions of Ordinance No. 117 of the Mayor and City Council of Baltimore, approved July 14, 1944, the certificates of indebtedness of said Mayor and City Council of Baltimore, to the amount of Two Million Dollars (\$2,000,000.00) were authorized to be issued for the purposes provided in said Chapter 9 of the Acts of the General Assembly of Maryland of 1944 (Special Session); and

WHEREAS, under the provisions of Ordinance No. 1319 of the Mayor and City Council of Baltimore, approved February 16, 1955, the certificates of indebtedness of said Mayor and City Council of Baltimore, to the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), were authorized to be issued for the purposes provided in said Chapter 9 of the Acts of the General Assembly of Maryland of 1944 (Special Session); and

WHEREAS, under the provisions of Ordinance No. 1322 of the Mayor and City Council of Baltimore, approved February 16, 1955, the certificates of indebtedness of said Mayor and City Council of Baltimore, to the amount of One Million Dollars (\$1,000,000.00), were authorized to be issued for the purposes provided in said Chapter 9 of the Acts of the General Assembly of Maryland of 1944 (Special Session); and

WHEREAS, additional funds are now needed for said purposes; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Commissioners of Finance of Baltimore City be, and they are hereby authorized and directed to issue the certificates of indebtedness of the Mayor and City Council of Baltimore to an amount not exceeding Nine Hundred Thousand Dollars (\$900,000.00), from time to time as the same may be required for the purposes hereinafter named, and the said certificates of indebtedness shall be sold by the said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds of the sale of said certificates of indebtedness shall be used for the purposes hereinafter named, provided that this ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of the City of Baltimore, cast at the time and place hereinafter designated by this ordinance.

SEC. 2. *And be it further ordained*, That said certificates of indebtedness shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series, the first series amounting to Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of October, 1965; a series of One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeem-

able on the first day of October, 1966; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October, 1967; a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of October, 1968, and a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1979, when the last series shall be redeemable.

Said certificates of indebtedness, when issued, shall bear interest at such rate or rates, not exceeding, however, five per cent per annum, as may be determined by the Commissioners of Finance at the time when any of said certificates of indebtedness are issued, the interest to be payable semi-annually on the first day of April and the first day of October in each year, during the respective periods that the series in which said certificates of indebtedness are issued may run; and any portion or all of said certificates of indebtedness may be registered or not registered, and said certificates of indebtedness, or any portion thereof, shall or shall not have interest coupons attached, all as may be determined by the Commissioners of Finance.

SEC. 3. *And be it further ordained*, That a sum sufficient to meet the interest on any outstanding certificates of indebtedness as well as the principal of the current maturing series of said certificates, shall be annually collected by taxation, and that a rate sufficient to produce said sum shall be levied in each year upon every one hundred dollars' worth of assessable property in the City of Baltimore, and in the proper proportion for any greater or less amount.

SEC. 4. *And be it further ordained*, That this ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962.

SEC. 5. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 6. *And be it further ordained,* That the proceeds of sale of the certificates of indebtedness hereby authorized to be issued, not exceeding the par value thereof, shall be used for the acquisition, by purchase or condemnation of land in the City of Baltimore, and erecting thereon, or on land now owned by the Mayor and City Council of Baltimore, a building or structure to be used for the office, functions and activities of the Chief Medical Examiner and to be known as The Medical Examiners' Building.

SEC. 7. *And be it further ordained,* That the expenditure of the proceeds of sale of the certificates of indebtedness herein authorized shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962

J. HAROLD GRADY, *Mayor*

No. 1278

(Council No. 1956)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 209 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962, Special Session of March, 1962), to issue its Certificates of Indebtedness to an amount not exceeding Five Million Dollars (\$5,000,000), the proceeds of the same to be used for the cost of issuance, including the expenses of engraving, printing, advertising, attorney's fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for extending, enlarging, developing and improving The Friendship International Airport, including, but not limited to, the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, located within or outside the boundary lines of Baltimore City; the construction of new runways and extensions thereto and extensions to existing runways; the construction or erection of new buildings or structures; additions and improvements to the existing service and terminal buildings and other buildings or structures; equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof; the construction and erection of roads and parking facilities; the construction or paving of taxiways and ramps or aprons, and doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of

November, 1962, and providing for the expenditure of the proceeds of sale of said Certificates of Indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the Municipal Agency designated in the Annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 209 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962) the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Five Million Dollars (\$5,000,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for extending, enlarging, developing and improving the Friendship International Airport, as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Five Million Dollars (\$5,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal

voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained,* That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series, the first series amounting to Five Hundred Thousand Dollars (\$500,000.00) to be redeemable on the first day of August, 1965; a series of Five Hundred Thousand Dollars (\$500,000.00) to be redeemable on the first day of August, 1966; a series of Three Hundred Thousand Dollars (\$300,000.00) to be redeemable on the first day of August, 1967, and a series of Three Hundred Thousand Dollars (\$300,000.00) to be redeemable on the first day of August of each succeeding year until and including the year 1978; a series of Four Hundred Thousand Dollars (\$400,000.00) to be redeemable on the first day of August, 1979, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the first day of February and the first day of August, in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained,* That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued

under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant

thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th of November, 1962.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance.

nance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds to be used for extending, enlarging, developing and improving the Friendship International Airport, including but not limited to, the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, located within or outside the boundary lines of Baltimore City; the construction of new runways and extensions thereto and extensions to existing runways; the construction or erection of new buildings or structures; additions and improvements to the existing service and terminal buildings and other buildings or structures; equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof; the construction and erection of roads and parking facilities; the construction or paving of taxiways and ramps or aprons, and doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of

the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1279

(Council No. 1957)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 212 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962—Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding four million dollars (\$4,000,000.00), the proceeds of the same to be used for the payment of the cost of issuing said certificates of indebtedness and for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping buildings, structures and other facilities on, under or in said land or property, or on, under or in any land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, or on, under or in any land or property owned or otherwise held or controlled by any private, public or quasi-public corporation, partnership, association, person or other legal entity, for storing, parking and servicing self-propelled vehicles, and for the

payment of any and all necessary or proper costs and expenses connected with, or incident to doing any or all of the foregoing acts or things; and such proceeds may be used for any or all of the matters or things hereinbefore mentioned in connection with an underground structure or facility for storing, parking and servicing self-propelled vehicles (hereafter called "parking facility") where another building, structure or facility (hereafter called "additional structure") is to be or may be established, constructed or erected in whole or in part above, under, in connection with or adjacent to a parking facility, provided that none of such proceeds shall be used for or in connection with the construction or erection of such additional structure, or any part thereof, or for strengthening or adding to a parking facility in any manner necessitated by or in connection with the construction or erection of such additional structure; provided, no petroleum products shall be sold or offered for sale at any entrance to, or exit from, any land so acquired or at any entrance to, or exit from, any structure erected thereon, when any entrance to, or exit from, any such land or structure faces a street or highway which is more than 25 feet wide from curb to curb; to confer and impose upon the Commissioners of Finance and the off-street parking commission of Baltimore City certain powers and duties; to provide certain conditions which must be complied with before the proceeds of sale of said certificates of indebtedness may be expended; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 212 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962) the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Five Million Dollars (\$5,000,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for the establishment of facilities for storing, parking and servicing self-propelled vehicles, as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Four Million Dollars (\$4,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That:

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00)

each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. *And be it further ordained,* That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable;

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be

issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant

thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter re-offer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of November, 1962.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be

expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping buildings, structures and other facilities on, under or in said land or property, or on, under or in any land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, or on, under or in any land or property owned or otherwise held or controlled by any private, public or quasi-public corporation, partnership, association, person or other legal entity, for storing, parking and servicing self-propelled vehicles, and for the payment of any and all necessary or proper costs and expenses connected with, or incident to doing any or all of the foregoing acts or things; and such proceeds may be used for any or all of the matters or things hereinbe-

fore mentioned in connection with an underground structure or facility for storing, parking and servicing self-propelled vehicles (hereafter called "parking facility") where another building, structure or facility (hereafter called "additional structure") is to be or may be established, constructed or erected in whole or in part above, under, in connection with or adjacent to a parking facility, provided that none of such proceeds shall be used for or in connection with the construction or erection of such additional structure, or any part thereof, or for strengthening or adding to a parking facility in any manner necessitated by or in connection with the construction or erection of such additional structure; provided, no petroleum products shall be sold or offered for sale at any entrance to, or exit from, any land so acquired or at any entrance to, or exit from, any structure erected thereon, when any entrance to, or exit from, any such land or structure faces a street or highway which is more than 25 feet wide from curb to curb.

SEC. 9. *And be it further ordained,* That the Off-Street Parking Commission of Baltimore City is hereby vested with full power to administer and supervise the proceeds derived from the sale of the bonds, including, but not limited to, the expenditure and disposition thereof. The Commission may appoint a Secretary who shall perform such duties as may be imposed upon him by ordinance of the Mayor and City Council of Baltimore or as may be assigned to him by the Commission, and appoint, employ, hire or engage such assistants, aides and employees as may be deemed necessary for the proper performance of the duties of the Commission. The compensation of said Secretary and other assistants, aides and employees shall be subject to the approval of the Board of Estimates of the Mayor and City Council of Baltimore and shall be paid as provided in the annual Ordinance of Estimates of said municipality. The Commission, with the prior approval of the Board of Estimates, may employ or hire, from time to time, by contract,

consulting, planning or designing engineers or architects or other persons possessing technical or specialized skills in connection with the duties and powers of the Commission. The Commission shall exercise all powers and authority conferred upon it in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore as it is now constituted or as it hereafter may be amended.

SEC. 10. *And be it further ordained, That:*

(a) No part of the proceeds of sale of the bonds hereby authorized to be issued shall be expended until after The Off-Street Parking Commission of Baltimore City has submitted its written recommendation, which shall set forth the purposes for, and the terms and conditions upon, which each particular sum of money is to be expended, to the Board of Estimates of the Mayor and City Council of Baltimore and such recommendation has been approved by said Board of Estimates.

(b) In addition, no part of the proceeds of sale of the bonds hereby authorized to be issued shall be expended for actually constructing, erecting, altering, expanding, enlarging, improving or equipping any building, structure or facility on, under or in any land or property, regardless of who owns or otherwise holds or controls any such land or property, for storing, parking and servicing self-propelled vehicles (as distinguished from funds which are necessary to be expended in connection with the acquisition of land or property or the preparation of plans or the employment of assistants, aides and employees of The Off-Street Parking Commission of Baltimore City or other matters or things which are usually and generally preliminary to the commencement of actual construction work) until after the municipal corporation, with the approval of its Board of Estimates, shall have entered into a binding contract with a private, public or quasi-public corporation, partnership, as-

sociation, person or other legal entity secured to the satisfaction of the said Board of Estimates, under the terms of which the Mayor and City Council of Baltimore will be reimbursed for at least all expenditures of money made by it in connection with the particular project involved, and for all interest charges paid or to be paid by the Mayor and City Council of Baltimore on all funds borrowed by it and expended in connection with the particular project involved, and for all estimated real estate taxes that the Mayor and City Council of Baltimore will lose as a result of it acquiring any land or property involved in the particular project. Any such contract, after it has been executed on behalf of the Mayor and City Council of Baltimore by the Mayor of Baltimore City and the corporate seal of the municipality affixed thereto duly attested by the Treasurer of the municipality and approved by the said Board of Estimates, shall constitute a legal and binding obligation of the Mayor and City Council of Baltimore.

(c) In case any land or property now or hereafter owned by the Mayor and City Council of Baltimore is sold by it to any legal entity for the purpose of establishing and constructing on, under or in said land or property any structure or facility contemplated by the provisions of this Ordinance, then the purchaser of said land or property shall pay to the municipality at least an amount of money equal to the full appraised value of said land or property, and in case any such land or property is leased by the municipality to any legal entity for any of the purposes hereinbefore mentioned, then the lessee shall pay annually to the municipality an amount of money equal to the reasonable rental value of said land or property. In the event any such land or property is sold by the municipality as aforesaid and such land or property is then reconveyed back to the municipality as security for any loan made by the municipality to the purchaser under the provisions of this Ordinance, then such purchaser shall pay annually to the munic-

pality in lieu of taxes a sum of money equal to an amount arrived at by multiplying the assessed valuation of said land or property for the year in which the municipality sells such land or property by the then current tax rate of the municipality. All payments made in lieu of taxes shall be made when real estate taxes of the municipality ordinarily become due and payable.

SEC. 11. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore.

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1280

(Council No. 1958)

An Ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 213 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962, Special Session of March, 1962), to issue its Certificates of Indebtedness to an amount not exceeding Fifteen Million Dollars (\$15,000,000.-00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property,

or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, existing school buildings or facilities, and for equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relating to planning for future projects of the same general character which may be constructed out of future loans; conferring certain powers upon the board of school commissioners of Baltimore City and imposing certain conditions in connection with the expenditure of the proceeds derived from the sale of said Certificates of Indebtedness; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 213 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962) the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Twenty-five Million Dollars (\$25,000,000.00), in the manner and upon the terms set forth

in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for educational structures and other auxiliary facilities as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Fifteen Million Dollars (\$15,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in twenty-five (25) yearly series, the first series amounting to Five Hundred Thousand Dollars (\$500,000.00) to be redeemable on the first day of August, 1967, and a series of Five Hundred Thousand Dollars (\$500,000.00) to be redeemable on the first day of August of each succeeding year until and including the year 1974; a series of Six Hundred Thousand Dollars (\$600,000.00) to be redeemable on the first day of August, 1975, and a series of Six Hundred Thou-

sand Dollars (\$600,000.00) to be redeemable on the first day of August of each succeeding year until and including the year 1984; a series of Seven Hundred Thousand Dollars (\$700,000.00) to be redeemable on the first day of August, 1985, and a series of Seven Hundred Thousand Dollars (\$700,000.00) to be redeemable on the first day of August of each succeeding year until and including the year 1990; a series of Eight Hundred Thousand Dollars (\$800,000.00) to be redeemable on the first day of August, 1991, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at the time when any of said bonds are issued, the interest to be payable semi-annually on the first day of February and the first day of August, in each year, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular

time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for

any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City, on Tuesday, the 6th day of November, 1962.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, existing school buildings or facilities, and for equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relative to planning for future projects of the same general character which may be constructed out of future loans.

SEC. 9. *And be it further ordained*, That in the expenditure of the proceeds of sale of said bonds, the Mayor and City Council of Baltimore shall observe the following conditions:

(a) Subject to the provisions of the Charter of Baltimore City relating to the Planning Commission, the Board of School Commissioners of Baltimore City shall have the authority to select sites for the construction of the new school buildings hereby authorized;

(b) All plans and specifications for the construction or reconstruction of school buildings, or for additions or improvements to school buildings, to be financed out of the proceeds derived from the sale of the bonds herein authorized to be issued, shall be subject to the approval of said Board of School Com-

missioners prior to final acceptance of such plans and specifications, and the endorsement of approval by said Board of such plans and specifications shall be made thereon, and shall also be recorded by said Board in its official minutes;

(c) All changes in approved plans and specifications which may be found necessary and expedient during the course of construction shall also be subject to the approval of the Board of School Commissioners of Baltimore City, and shall also be recorded by said Board in its official minutes; and

(d) No part of the proceeds derived from the sale of the bonds hereby authorized to be issued shall be expended without the approval of the Board of School Commissioners of Baltimore City.

SEC. 10. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1281

(Council No. 1959)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 12 of the Acts of the General Assembly of Maryland of 1962 — Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding Two Million Four Hundred Thousand Dollars (\$2,400,000.00), the proceeds of the

same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of the proceeds of the same to be used for the acquisition, by purchase or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for establishing, constructing, reconstructing, erecting, furnishing and equipping thereon, or on any other land or property which may be available for the purpose, a new hospital building or structure and new hospital facilities, and any and all appurtenances thereto which may be needed or desirable, to replace the hospital located in Baltimore City known generally as the Provident Hospital whether or not the contemplated new hospital is designated by the same name, and for doing any and all things necessary, proper or expedient in connection with any and all of the things hereinbefore mentioned, including, but not limited to, the payment for services rendered by architects, engineers and other consultants which may be needed or rendered in connection with the planning and construction of said hospital building or structure and hospital facilities, all for the aforesaid Provident Hospital; however, none of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this ordinance shall be expended for any of the purposes mentioned in Section 8 (b) of this ordinance unless and until the Board of Estimates receives assurances satisfactory to it from the Board of Public Works of the State of Maryland that not less than approximately Two Million Four Hundred Thousand Dollars (\$2,400,000.00) is being or will be provided by the State of Maryland for the same or substantially similar purposes set forth in Section 8 (b) of this ordinance; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in

Baltimore City on Tuesday, the 6th day of November, 1962.

WHEREAS, by Chapter 12 of the Acts of the General Assembly of Maryland of 1962 — Special Session of March, 1962, the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Two Million Four Hundred Thousand Dollars (\$2,400,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for establishing and equipping new hospital facilities to replace the hospital located in Baltimore City known generally as the Provident Hospital whether or not the contemplated new hospital is designated by the same name, as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Two Million Four Hundred Thousand Dollars (\$2,400,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.*

SEC. 2. *And be it further ordained, That:*

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. *And be it further ordained, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:*

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this Ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable.

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made on the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th of November, 1962.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Balti-

more is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for establishing, constructing, reconstructing, erecting, furnishing and equipping thereon, or on any other land or property which may be available for the purpose, a new hospital building or structure and new hospital facilities, and any and all appurtenances thereto which may be needed or desirable, to replace the hospital located in Baltimore City known generally as the Provident Hospital whether or not the contemplated new hospital is designated by the same name, and for doing any and all things necessary, proper or expedient in connection with any and all of the things hereinbefore mentioned, including, but not limited to, the payment for services rendered by architects, engineers and other consultants which may be needed or rendered in connection with the planning and construction of said hospital building or structure and

hospital facilities; all for the aforesaid Provident Hospital.

(c) However, none of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be expended for any of the purposes mentioned in Section 8 (b) of this Ordinance unless and until the Board of Estimates receives assurances satisfactory to it from the Board of Public Works of the State of Maryland that not less than approximately Two Million Four Hundred Thousand Dollars (\$2,400,000.00) is being or will be provided by the State of Maryland for the same or substantially similar purposes set forth in Section 8 (b) of this Ordinance.

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1282

(Council No. 1960)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 215 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962—Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding one million fifty thousand dollars (\$1,050,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, construction, reconstruction, installation, erection, protection, extension, enlargement, renovation or modernization of, and additions to, public park

or recreational buildings, structures, facilities or utilities, including, but not limited to, the zoo located in Druid Hill Park and the Baltimore Memorial Stadium fronting on Thirty-third street, both of which are located in Baltimore City; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this Ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 215 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for recreation and park purposes, as authorized by said Act; and

WHEREAS, funds are now needed for general park purposes; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Mayor and City Council of Baltimore, acting by and through the*

Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding One Million Fifty Thousand Dollars (\$1,050,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained,* That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in ten (10) yearly series, the first series amounting to One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of October, 1965, and a series of One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1968; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October, 1969, and a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1971; a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of October, 1972, and a series of Fifty Thousand Dollars (\$50,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1974, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the first day of April and the first day of October, in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including

the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax*

on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained*, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th of November, 1962.

SEC. 7. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, construction, reconstruc-

tion, installation, erection, protection, extension, enlargement, renovation or modernization of, and additions to, public park or recreational buildings, structures, facilities or utilities, including, but not limited to, the zoo located in Druid Hill Park and the Baltimore Memorial Stadium fronting on Thirty-third Street, both of which are located in Baltimore City.

SEC. 9. *And be it further ordained,* That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1283

(Council No. 1961)

An Ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 13 of the Acts of the General Assembly of Maryland of 1956, Special Session of March, 1956), to issue its Certificates of Indebtedness to an amount not exceeding Two Million Dollars (\$2,000,000.00), the proceeds of the same to be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new Enoch Pratt Free Library Branch Buildings and other

auxiliary facilities, and for additions and improvements to, or the reconstruction of, existing Enoch Pratt Free Library Buildings, and for the reconstruction, renovation, modernization or improvement of any buildings or structures now or hereafter owned by the Mayor and City Council of Baltimore and to be used to house the functions or activities of the Enoch Pratt Free Library System, and for the purchase, acquisition, installation and erection of any and all kinds of furniture and equipment for any and all of the new facilities authorized to be constructed, erected or acquired by the provisions hereof, and for the purchase, acquisition, installation and erection of any and all kinds of library or auxiliary equipment for the Enoch Pratt Free Library System, or for alterations to, or the replacement of, any such existing equipment now being used by, or in connection with, the Enoch Pratt Free Library System; and for doing any and all things necessary in connection therewith, or pertaining thereto; authorizing the submission of this ordinance to the legal voters of Baltimore City for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of said Certificates of Indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 13 of the Acts of the General Assembly of Maryland of 1956 (Special Session of March, 1956), the Mayor and City Council of Baltimore is authorized to issue its Certificates of Indebtedness to an amount not exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000.00), in the manner and upon the terms set forth in said Act, the proceeds thereof, not exceeding the par value of said Certificates of Indebtedness, to be used to defray the cost and expense of enlarging, ex-

tending, and improving the Enoch Pratt Free Library System, as authorized in said Act; and

WHEREAS, under the provisions of Ordinance No. 457 of the Mayor and City Council of Baltimore, approved May 29, 1956, the Certificates of Indebtedness of said Mayor and City Council of Baltimore, to the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), were authorized to be issued for the purposes provided in said Chapter 13 of the Acts of the General Assembly of Maryland of 1956 (Special Session of March, 1956); and

WHEREAS, additional funds are now needed for said purposes; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Commissioners of Finance be, and they are hereby authorized and directed to issue the Certificates of Indebtedness of the Mayor and City Council of Baltimore to an amount not exceeding Two Million Dollars (\$2,000,000.00) from time to time as the same may be required for the purposes hereinafter named, and the said Certificates of Indebtedness shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds of the sale of said Certificates of Indebtedness shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of the City of Baltimore cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said Certificates of Indebtedness shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in twenty (20) yearly series, the first series amounting to One Hundred Thousand Dollars (\$100,000.00) to be redeemable

on the first day of December, 1965, and a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of December of each succeeding year until and including the year 1984, when the last series shall be redeemable.

Said Certificates of Indebtedness, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by the Commissioners of Finance at the time when any of said Certificates of Indebtedness are issued, the interest to be payable semi-annually on the first day of June and the first day of December, in each year, during the respective periods that the series in which said Certificates of Indebtedness are issued may run; and any portion or all of said Certificates of Indebtedness may be registered or not registered, and said Certificates of Indebtedness, or any portion thereof, shall or shall not have interest coupons attached, all as may be determined by the Commissioners of Finance.

SEC. 3. *And be it further ordained*, That a sum sufficient to meet the interest on any outstanding Certificates of Indebtedness, as well as the principal of the current maturing series of said Certificates, shall be annually collected by taxation, and that a rate sufficient to produce said sum shall be levied in each year upon every One Hundred Dollars (\$100.-00) worth of assessable property in the City of Baltimore, and in the proper proportion of any greater or less amount.

SEC. 4. *And be it further ordained*, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th day of November, 1962.

SEC. 5. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of

money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 6. *And be it further ordained*, That the proceeds of sale of the Certificates of Indebtedness hereby authorized to be issued, not exceeding their par value, shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new Enoch Pratt Free Library branch buildings and other auxiliary facilities, and for additions and improvements to, or the reconstruction of, existing Enoch Pratt Free Library buildings, and for the reconstruction, renovation, modernization or improvement of any buildings or structures now or hereafter owned by the Mayor and City Council of Baltimore and to be used to house the functions or activities of the Enoch Pratt Free Library System, and for the purchase, acquisition, installation and erection of any and all kinds of furniture and equipment for any and all of the new facilities authorized to be constructed, erected or acquired by the provisions hereof, and for the purchase, acquisition, installation and erection of any and all kinds of library or auxiliary equipment for the Enoch Pratt Free Library System or for alterations to, or the replacement of, any such existing equipment now being used by, or in connection with, the Enoch Pratt Free Library System; and for doing any and all things necessary in connection therewith or pertaining thereto.

SEC. 7. *And be it further ordained, That the expenditure of the proceeds of sale of the Certificates of Indebtedness herein authorized shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinances of Estimates of the Mayor and City Council of Baltimore.*

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1284

(Council No. 1962)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 376 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 — Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding Two Million Dollars (\$2,000,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for establishing, constructing, erecting and equipping thereon or on any other land or property now or hereafter owned or controlled by the Mayor and City Council of Baltimore, buildings, structures and facilities to be used by or for a central garage, for or in connection with any and all functions and activities of such central garage, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of

the matters or things hereinbefore mentioned; such garage generally to be used for or in connection with the parking, storing, repairing and maintaining of self-propelled vehicles and other motorized equipment owned, controlled or operated by the Mayor and City Council of Baltimore or any agency thereof; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the general election to be held in Baltimore City on Tuesday, the 6th day of November, 1962, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 376 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Two Million Dollars (\$2,000,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for establishing, constructing, erecting and equipping buildings, structures and facilities to be used for certain purposes, including a Central Garage, as authorized by said Act; and

WHEREAS, funds are now needed for establishing and constructing a Central Garage; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Mayor and City*

Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Two Million Dollars (\$2,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series, the first series amounting to One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of October, 1965; a series of Two Hundred Fifty Thousand Dollars (\$250,000.00) to be redeemable on the first day of October, 1966; a series of One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of October, 1967; a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October, 1968, and a series of One Hundred Thousand Dollars (\$100,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1974; a series of One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of October, 1975, and a series of One Hundred Fifty Thousand Dollars (\$150,000.00) to be redeemable on the first day of October of each succeeding year until and including the year 1979, when the last series shall be redeemable.

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the first day of April and the first day of October, in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained,* That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, includ-

ing the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained, That* until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council

of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained*, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the General Election to be held in Baltimore City on Tuesday, the 6th of November, 1962.

SEC. 7. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for establishing, constructing, erecting and equipping thereon or on any other land or property now or hereafter owned or controlled by the Mayor and City Council of Baltimore, buildings, structures and facilities to be used by or for a Central Garage, for or in connection with any and all functions and activities of such Central Garage, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; such garage generally to be used for or in connection with the parking, storing, repairing and maintaining of self-propelled vehicles and other motorized equipment owned, controlled or operated by the Mayor and City Council of Baltimore or any agency thereof.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1285

(Council No. 1880)

An ordinance to add new sections 28 to 40, inclusive, to Article 23 of the Baltimore City Code (1950)

Edition), title "Pensions", to be under the new sub-title "Fire and Police Forces", all to follow immediately after Section 27 of said Article 23, exercising certain powers conferred by the General Assembly of Maryland upon the Mayor and City Council of Baltimore by establishing a separate system of pensions and retirement benefits for certain of the officers and employees of the Department of Aviation, of the Police Department and of the Fire Department of Baltimore City; providing for the inclusion of those employees of each of said departments who are engaged in law enforcement or fire fighting duties and excluding those employees for whose benefit the Mayor and City Council of Baltimore makes contributions under the Social Security Act; providing for the creation of a board of trustees to manage and operate the separate system of pensions and retirements, and to control and supervise generally the establishment and maintenance of said system, and relating generally to the said separate system of pension and retirement benefits.

WHEREAS, by Chapter 94 of the Laws of Maryland of 1961, authority is conferred upon the Mayor and City Council of Baltimore to establish a separate system of pensions and retirements for certain of the officers and employees of the Department of Aviation, of the Police Department and of the Fire Department of Baltimore City.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Sections 28 to 40, inclusive, be and they are hereby added to Article 23 of the Baltimore City Code (1950 Edition), title "Pensions", to be under the new subtitle "Fire and Police Forces", all to follow immediately after Section 27 of said Article 23 and to read as follows:

NAME AND DATE OPERATIVE

28. The "Fire and Police Employees Retirement System of the City of Baltimore", hereinafter called

the "Retirement System", is hereby established and placed under the management of the Board of Trustees for the purpose of providing retirement allowances and death benefits under the provisions of this subtitle for such officers and employees of the Department of Aviation, of the Police Department and of the Fire Department of Baltimore City as are included in the membership as provided in Section 30 of this subtitle. The retirement system so created shall begin operation as of July 1, 1962.

DEFINITIONS

29. The following words and phrases as used in this subtitle, unless a different meaning is plainly required by the context, shall have the following meaning:

(1) "Retirement System" shall mean the Fire and Police Employees Retirement System of the City of Baltimore as defined in Section 28 of this subtitle.

(2) "Employee" shall mean any officer or employee of the Department of Aviation, of the Police Department or of the Fire Department of Baltimore City, except as hereinafter excluded, whose compensation is paid by the Mayor and City Council of Baltimore, by whatever authority appointed. It shall exclude any officer or employee of any of these departments for whose benefit the Mayor and City Council of Baltimore makes contribution as required under the Social Security System, established by Act of Congress, known generally as "The Social Security Act of 1935", as amended from time to time.

In all cases of doubt, the Board of Trustees shall decide who is an employee within the meaning of this subtitle.

(3) "Member" shall mean any person included in the membership of the system as provided in Section 30 of this subtitle.

(4) "Board of Trustees" shall mean the Board provided in Section 32 of this subtitle to administer the retirement system.

(5) "Medical Board" shall mean the board of physicians provided for in Section 32, Subsection 12 of this subtitle.

(6) "Service" shall mean service as an employee paid for by the City of Baltimore.

(7) "Prior Service" shall mean service rendered prior to the first day of January, 1926, for which credit is allowable under Section 31, Subsection 1 of this subtitle.

(8) "Membership Service" shall mean service as an employee rendered while a member of the Fire and Police Employees Retirement System or the Employees Retirement System of the City of Baltimore.

(9) "Creditable Service" shall mean "Prior Service" plus "Membership Service" for which credit is allowable as provided in Section 31 of this subtitle.

(10) "Beneficiary" shall mean any person in receipt of a pension, an annuity, a retirement allowance or other benefit as provided by this subtitle.

(11) "Regular Interest" shall mean such per centum rate to be compounded annually as shall be determined by the Board of Trustees to be equitable in its judgment. Such rate shall be limited to a minimum of three per centum and a maximum of four per centum.

(12) "Accumulated Contributions" shall mean the sum of all the amounts deducted from the compensation of a member and credited to his individual account in the Annuity Savings Fund together with regular interest thereon as provided in Sections 34 and 35 of this subtitle.

(13) "Average Final Compensation" shall mean the average annual compensation, pay or salary earnable by a member for the five consecutive years

of service as an employee during which his earnable compensation was highest, or if he had less than five years of service then the average annual compensation, pay or salary earnable by him during his total years of service. "Earnable" shall include all usual compensation, in whatever manner paid, such as lodging, subsistence, etc. In cases where compensation is not all paid in money, the Board of Trustees shall fix the value of that part of the compensation not paid in money.

(14) "Annuity" shall mean payments for life derived from the "accumulated contributions" of a member. All annuities shall be paid in equal semi-monthly installments.

(15) "Pensions" shall mean payments for life derived from money provided by the City of Baltimore. All pensions shall be paid in equal semi-monthly installments.

(16) "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions of this subtitle.

(17) "Retirement Allowance" shall mean the sum of "annuity" and the "Pension."

(18) "Annuity Reserve" shall mean the present value of all payments to be made on account of any annuity of benefit in lieu of any annuity computed upon the basis of such mortality tables as shall be adopted by the Board of Trustees and regular interest.

(19) "Pension Reserve" shall mean the present value of all payments to be made on account of any pension or benefit in lieu of any pension computed upon the basis of such mortality tables as shall be adopted by the Board of Trustees and regular interest.

MEMBERSHIP

30. The membership in the Retirement System shall consist of the following:

(1) Any person who shall become an employee as herein defined after the date of establishment shall become a member of the Retirement System as a condition of employment, and shall not be entitled to receive any pension or retirement allowance from any other pension or retirement system supported wholly or in part by the City of Baltimore, nor shall they be members of any other system, nor shall they be required to make contributions to any other pension or retirement system of said City, anything to the contrary notwithstanding.

(2) Any person who is an employee on the date of establishment and who is on that date and has been a member of the Employees Retirement System of the City of Baltimore, or any other pension or retirement fund supported wholly or partly by the City of Baltimore, shall become members as of that date of establishment unless within a period of thirty (30) days next following, such employee shall file with the Board of Trustees, on a form prescribed by the Board, a notice of his election not to be covered in the membership of the Retirement System and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the Retirement System.

(3) An employee whose membership in the Retirement System is contingent on his own election and who elects not to become a member may thereafter apply for and be admitted to membership, but no such employee shall receive membership credit unless he becomes a member on or before July 1, 1963.

(4) Should any member in any period of six (6) consecutive years after last becoming a member be absent from service more than two (2) consecutive years, or should he withdraw his accumulated contributions or should he become a beneficiary or die, he shall thereupon cease to be a member.

SERVICE CREDITABLE

31. (1) Under such rules and regulations as the Board of Trustees shall adopt, each member who was an employee at any time during the year immediately preceding the date of establishment shall file a detailed statement of all service rendered by him prior to the date of establishment for which he claims credit, including all service creditable to him under any other pension or retirement system supported wholly or in part by the City of Baltimore.

(2) Subject to the above restrictions and to such other rules and regulations as the Board of Trustees may adopt, the Board of Trustees shall verify as soon as practicable after the filing of such statement of service, the service therein claimed.

(3) Upon verification of the statement of service, the Board of Trustees shall issue service certificates certifying to each member the length of service rendered prior to the date of the establishment of the Retirement System with which he is credited. So long as membership continues a service certificate shall be final and conclusive for retirement purposes as to such service; provided, however, that any member may, within one year from the date of issuance or modification of such certificate, request the Board of Trustees to modify or correct his service certificate.

When membership ceases such service certificate shall become void. Should the employee again become a member, such employee shall enter the system as an employee not entitled to service credit, except as provided in Section 33, Subsection 7, paragraph (b) of this subtitle.

(4) Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of the membership service rendered by him since he last became a member, and also, if he has a certificate of previous service which is

in full force and effect the period of the service certified on his certificate of previous service.

(5) The Board of Trustees shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to a year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the Board of Trustees allow credit as service for any period of more than one month's duration during which the employee was absent without pay.

(6) The rights and status of any person heretofore or hereafter inducted into the land or naval forces of the United States for training and service pursuant to the Act of Congress known as the Selective Training and Service Act of 1940, or any subsequent Acts of a similar nature, and any member of any reserve component of the land or naval forces of the United States who is on active duty or service, or who may be ordered or assigned to active duty or service, and who, because of such induction or in order to perform such active duty or service, ceases to be an employee, shall be as follows in the Fire and Police Employees Retirement System of the City of Baltimore: during the period of such absence, no such person or his estate shall have any right to or be entitled to any benefit other than the payment of his accumulated contributions as provided in Section 33 of this subtitle. Any such person, during such absence, except as herein otherwise specified, shall retain his status and rights as a member of the Fire and Police Employees Retirement System of the City of Baltimore (a) if he has not withdrawn any part of his accumulated contributions, and (b) if within one hundred and twenty (120) days from the time he is relieved from active duty or service he shall again become an employee under this subtitle, and (c) if he shall not have previously taken any other employment. If under the above restrictions any such person again becomes an employee under this subtitle within one hundred and twenty (120) days from the time he

is relieved from active duty, he shall receive full credit as service with the City for the period of his absence as if he had not been absent for such period, but such person shall produce satisfactory evidence to show that he meets all the requirements of the ordinance, but such contributions shall not be subject to withdrawal by any persons in the event of their leaving the City service and shall not be considered a part of the contributions of the member to which it is credited except in case of retirement or death while in service. The Trustees of the Fire and Police Employees Retirement System of the City of Baltimore shall refund to or reimburse members for any contributions which have been made, or shall hereafter be made, by them, or on their behalf to the Retirement System for the period of their absence while in the Armed Forces of the United States. The City of Baltimore shall thereupon make provision for paying to the Fire and Police Employees Retirement System of the City of Baltimore the amounts which each of such persons would have paid as contributions if he had not been absent and had been employed for the period of his absence at the same rate of pay as when he entered the military service. During the period of such absence of any such employee, the City of Baltimore shall make its contribution on behalf of such employee as it would have made had he not been absent and had retained his status as an employee during the period of his absence. Such person, however, shall have no right to withdraw any part of such contribution made by the City of Baltimore. The Board of Trustees of the Fire and Police Employees Retirement System of the City of Baltimore is hereby authorized to adopt such rules and regulations to carry out the provisions of this section. In the event any such person who may be absent in such military service, or his estate, shall, after reinstatement in the Fire and Police Employees Retirement System of the City of Baltimore, file claim for any disability or death benefits whatsoever with said system, and the Medical Board of said

system shall determine that the cause or origin of such disability or death is in any manner, either directly or indirectly, attributable or due to, or may have arisen out of his military service, then such person or his estate or dependents shall not be entitled to any benefits other than the return of his accumulated contributions under said system and further that in the event any such person shall, after reinstatement, receive any disability compensation of any nature, either from the United States of America, any department or agency thereof, or from any of the States or Territories of the United States, or from the District of Columbia, then the amount of such payments so paid shall be deducted from any funds payable by the Fire and Police Employees Retirement System of the City of Baltimore to such person or his estate or dependents on account of any benefits other than the return of his accumulated contributions for which any claim has been filed.

ADMINISTRATION

Board of Trustees

32. (1) The general administration and the responsibility for the proper operation of the retirement system and for making effective the provisions of this subtitle are hereby vested in a Board of Trustees which shall be organized immediately after three of the trustees provided for in this section have qualified and taken the oath of office.

(2) The Board shall consist of seven trustees as follows:

(a) The Comptroller of the City of Baltimore, ex-officio;

(b) The Police Commissioner, ex-officio;

(c) The President of the Board of Fire Commissioners, ex-officio;

(d) Two citizens of the City of Baltimore who are not employees within the meaning of this sub-

title, one of whom shall be a responsible officer of a bank authorized to do business within the State of Maryland, or a person with similar experience, to be appointed by the Mayor with the consent of the City Council, as provided in Section 12 of the Charter of Baltimore City (1949 Edition), to serve for terms of four years each; provided, however, that immediately following July 1, 1962, the Mayor shall appoint one trustee to serve until July 1, 1963, and one trustee to serve until July 1, 1965, such trustees to take office at appointments;

(e) Two members of the system, one of whom shall be an employee of the Fire Department, the other an employee of the Police Department, to be elected by the membership of the respective departments to which each belongs under such rules and regulations as may be adopted by the Board of Trustees to govern such election, to serve for a term of four years; provided, however, that the term of office of the first two trustees so elected shall begin immediately following their election and shall expire July 1, 1964, and July 1, 1966, respectively.

(3) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(4) The trustees shall serve without compensation, but they shall be reimbursed from the Expense Fund for all necessary expenses that they may incur through service on the Board.

(5) Each trustee shall, within ten days after his appointment or election, take an oath of office that, so far as it devolves upon him he will diligently and honestly administer the affairs of the said Board, and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the retirement system. Such oath shall be subscribed to by the member making it and certified by the Mayor before whom it is taken and

shall be immediately filed in the office of the City Treasurer.

(6) Each trustee shall be entitled to one vote on the Board. Five members of said Board shall constitute a quorum for the transaction of any business, the exercise of any power, or the performance of any duty authorized or imposed by this subtitle.

(7) Subject to the limitations of this subtitle, the Board of Trustees shall, from time to time, establish rules and regulations for the administration of the funds created by this subtitle and for the transaction of its business.

(8) The Board of Trustees shall elect from its membership a chairman and shall by a majority vote of all its members appoint a secretary. It shall engage such actuarial and other service as shall be required to transact the business of the retirement system. The compensation of all persons engaged by the Board of Trustees, and all other expenses of the Board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the Board of Estimates shall approve, and in accordance with appropriations in the annual Ordinance of Estimates.

(9) The Board of Trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system and for checking the experience of the system.

(10) The Board of Trustees shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually on or before the first day of May a report showing the fiscal transactions of the retirement system for the year ending on the preceding thirty-first day of December, the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system. The Board

shall submit said report to the Mayor and shall furnish copies thereof to the heads of the various departments for their use and the use of the members employed therein.

LEGAL ADVISER

(11) The City Solicitor of the City of Baltimore shall be the legal adviser of the Board of Trustees.

MEDICAL BOARD

(12) The Board of Trustees shall designate a medical board, to be composed of three physicians not eligible to participate in the retirement system. If required, other physicians may be employed to report on special cases. The medical board shall arrange for and pass upon all medical examinations required under the provisions of this subtitle, shall investigate all essential statements and certificates by or on behalf of a member in connection with application for disability retirement, and shall report in writing to the Board of Trustees its conclusions and recommendations upon all the matters referred to it.

DUTIES OF ACTUARY

(13) The Board of Trustees shall designate an actuary who shall be the technical adviser of the Board of Trustees on matters regarding the operation of the funds created by the provisions of this subtitle and shall perform such other duties as are required in connection therewith.

(14) Immediately after the establishment of the retirement system the actuary shall make such investigation of the mortality, service and compensation experience of the members of the system as he shall recommend and the Board of Trustees shall authorize, and on the basis of such investigation he shall recommend for adoption by the Board of Trustees, such tables and such rates as are required in Subsection 15, paragraph (a), (b) and (c) of

this section. The rates to be certified for members who are less than twenty-five years of age shall not be greater than the rate for age twenty-five. The Board of Trustees shall adopt tables and certify rates, and as soon as practicable thereafter, the actuary shall make a valuation based on such tables and rates of the assets and liabilities of the funds created by this subtitle.

(15) In the year 1964, and at least once in each five-year period thereafter, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and shall make a valuation of the assets and liabilities of the funds of the system and taking into account the result of such investigation and valuation, the Board of Trustees shall

(a) adopt for the retirement system such mortality, service and other tables as shall be deemed necessary;

(b) certify the rates of contribution payable by members under the provisions of this subtitle, and provide, with respect to Class B members of the Employees Retirement System of the City of Baltimore, for amortization of the difference between the total amount contributed under the Class B membership and the amount which would have been contributed had they been Class A members. Provided, however, that any such Class B member may waive the payment of any or all such adjustment contributions, in which case upon retirement any retirement allowance to which he may be entitled shall be reduced by the actuarial equivalent of such payments which have not been made, with interest to date of retirement. The total annuity that would have been payable to the beneficiary had he not waived payment of the difference between the Class A and Class B contributions shall be used in determining the amount of the supplemental pension payable under Section 33 (1) (f);

(c) certify the rates of contribution payable by the City of Baltimore on account of members at various ages.

(16) On the basis of such tables as the Board of Trustees shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the system created by this subtitle.

BENEFITS

Service Retirement Benefits

33. (1) (a) Any member in service may retire upon his written application to the Board of Trustees setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired, provided that the said member at the time so specified for his retirement shall have attained the age of fifty or shall have rendered twenty-five years of creditable service as an employee, and notwithstanding that, during such period of notification, he may have separated from service.

(b) Any member in service who has attained the age of fifty-five shall be retired on the first day of the next calendar month after attaining such age, except that a member who has attained the rank of Fire Lieutenant or Police Sergeant shall be retired when he has attained the age of sixty-five.

(c) Anything in this subsection to the contrary notwithstanding, any employee who becomes a member at the time of the establishment of this system, and who is fifty-five, or more, years of age, or who will attain the age of fifty-five years before having twenty-five years of creditable service, may be continued in service until the completion of twenty-five years of creditable service, or the attainment of age sixty-five, whichever occurs first.

(d) Further, anything in this subtitle to the contrary notwithstanding, any employee under the rank of Fire Lieutenant or Police Sergeant who is 50

or more years of age at the time this System is established may be continued in service for a period of 5 years from such date or until attaining age 60, whichever first occurs.

ALLOWANCE ON SERVICE RETIREMENT

(2) Upon retirement from service a member shall receive a service retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(b) For each year of membership service, in addition to his annuity, a pension which shall be equal to one one-hundredth of his average final compensation for each of the first twenty-five years of membership service, less any prior service, and one one-hundred-twentieth of his average final compensation for each year after the first twenty-five years of creditable service exclusive of prior service; and

(c) If he has prior service credit, an additional pension for each year of prior service which shall be equal to one-fiftieth of his average final compensation for each of the first twenty-five years of creditable service, and one-sixtieth of his average final compensation for each year after the first twenty-five years of creditable service; and

(d) If the member has credit for membership service rendered prior to July 1, 1962, an additional pension equal to the difference between the pension allowable under paragraph (b) above for such service and one one-hundred-twentieth of average final compensation multiplied by the number of years of such service;

(e) Provided, however, that if at the time of retirement the member has not attained the age of fifty, the pension and additional pension, if any, shall be payable at retirement and shall be the ac-

tuarial equivalent at that time of a pension and additional pension payable at the age of fifty in the amounts computed as provided in (b), (c) and (d) above; or such member may elect at the time of retirement to have his service retirement allowance deferred to commence upon the attainment of the age of fifty, in which event the annuity shall be the actuarial equivalent of his accumulated contributions at that age, and the pension or pensions under (b), (c) and (d) above shall be in the amounts computed as therein provided;

(f) Notwithstanding anything in this subtitle to the contrary, if at the time of retirement a member is age fifty or older, or has twenty-five years of service, and the total of the annuity resulting from the member's years of membership service and the supplemental pension provided by paragraph (d) is less than the pension resulting from the member's years of membership service determined in accordance with paragraph (b), a supplemental pension equal to such difference shall be payable.

ORDINARY DISABILITY RETIREMENT BENEFIT

(3) Upon the application of a member in service or of the head of his department, any member who has had five or more years of creditable service may be retired by the Board of Trustees, not less than thirty and not more than ninety days next following the date of filing such application, on an ordinary disability retirement allowance, provided that the medical board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

ALLOWANCE ON ORDINARY DISABILITY RETIREMENT

(4) Upon retirement for ordinary disability a member shall receive a service retirement allowance if he has attained the age of fifty; otherwise he shall

receive an ordinary disability retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A pension which, together with his annuity, shall provide a total retirement allowance equal to one-fortieth of his average final compensation for each of the first twenty years of creditable service, and one-fiftieth of his average final compensation for each year after the first twenty years of creditable service;

(c) Provided, however, that notwithstanding anything in this subsection to the contrary, if at the time of retirement a member over fifty years of age shall have rendered less than twenty-five years of creditable service, and shall be retired for ordinary disability, then and in that event, and notwithstanding the age of such member, he shall receive as an ordinary disability retirement allowance a sum to be computed as provided in paragraphs (4) (a) and (b) of this subsection to the extent that such sum does not exceed fifty per centum (50%) of his average final compensation.

SPECIAL DISABILITY BENEFIT

(5) Upon the application of a member or the head of his department, any member who has been totally and permanently incapacitated for duty as the result of an injury arising out of and in the course of the actual performance of duty, without wilful negligence on his part, shall be retired by the Board of Trustees, provided that the medical board shall certify that such member is physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

ALLOWANCE ON SPECIAL DISABILITY BENEFIT

(6) Upon retirement for special disability a mem-

ber shall receive a special disability retirement allowance which shall consist of:

(a) an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(b) a pension, in addition to the annuity, of sixty-six and two-thirds per cent of his average final compensation.

REEXAMINATION OF BENEFICIARIES RETIRED ON ACCOUNT OF DISABILITY

(7) Once each year during the first five years following retirement of a member on a disability retirement allowance and once in every three-year period thereafter, the Board of Trustees may, and upon his application shall, require any disability beneficiary who has not yet attained age fifty-five to undergo a medical examination, such examination to be made at the place of residence of said beneficiary or other place mutually agreed upon, by a physician or physicians designated by the Board of Trustees. Should any disability beneficiary who has not yet attained the age of fifty-five refuse to submit to at least one medical examination in any such year by a physician or physicians designated by the Board of Trustees, his allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for one year, all his rights in and to his pension may be revoked by the Board of Trustees.

(a) Should the medical board report and certify to the Board of Trustees that such disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and the compensation being paid currently to persons having the same classification that the beneficiary had at the time of his retirement, and should the Board of Trustees concur in such report, then the amount of his pension shall be reduced to an amount, which

together with his annuity, and the amount earnable by him, shall equal the amount of compensation being paid currently to persons having the same classification that the beneficiary had at the time of his retirement. Should his earning capacity be later changed, the amount of his pension may be further modified; provided that the new pension shall not exceed the amount of the pension originally granted nor an amount, which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of compensation being paid currently to persons having the same classification that the beneficiary had at the time of his retirement. A beneficiary restored to active service at a salary less than the average final compensation upon the basis of which he was retired shall not become a member of the retirement system.

(b) Should a disability beneficiary be restored to active service at a compensation not less than the average final compensation, his retirement allowance shall cease, he shall again become a member of the retirement system, and he shall contribute thereafter at the same rate he paid prior to disability. Any previous service credit on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect and, in addition, upon his subsequent retirement he shall be credited with all his services as a member.

ORDINARY DEATH BENEFIT

(8) Upon the receipt of proper proofs of the death of a member in service there shall be paid to such person as he shall have nominated by written designation duly executed and filed with the Board of Trustees, otherwise to his estate:

(a) his accumulated contributions; and

(b) if the member has one or more years of creditable service, an amount equal to fifty per cent of his current annual compensation or average final

compensation, whichever shall be greater at the time of the member's death;

(c) provided, however, that if the member was eligible for a service retirement allowance at the time of his death, and if the person designated by the member as his beneficiary under this subsection is (i) his surviving parent or (ii) his surviving spouse with whom he had been living for at least five years at the time of his death, such beneficiary may elect to receive in lieu of (a) and (b) above, an allowance equal to that which would have been paid to such beneficiary under Option 3 of subsection (11) (a) hereof, had the member elected Option 3 in favor of such beneficiary and retired as of the date of death. To receive this alternative death benefit, the designated parent or spouse must make written application therefor not later than sixty days after the death of the member on forms provided by the Board of Trustees. The payment of the alternative allowance described in this paragraph shall be provided for, to the extent not provided for elsewhere in this subtitle for the payment of (a) and (b) above, in its annual Ordinance of Estimates by the Mayor and City Council of Baltimore; and annual payments shall be made by the Mayor and City Council of Baltimore to the Retirement System of the additional amounts required to meet the current disbursements for such alternative allowances.

No ordinary death benefit shall be paid for the death of any member whenever a special death benefit shall be paid for same.

SPECIAL DEATH BENEFIT

(9) Upon the receipt of proper proofs of the death of a member in service arising out of and in the course of the actual performance of duty, without wilful negligence on his part, and upon certification by the Board that such death so occurred, there shall be paid:

(a) To such person as he shall have nominated by written designation duly executed and filed with the Board of Trustees, otherwise to his estate, his accumulated contributions; and in addition thereto, a pension of one hundred per centum of the current compensation of such employee;

(b) To his widow to continue during her widowhood; or

(c) If there be no widow, or if the widow dies or remarries before the youngest child of such deceased member shall have attained the age of eighteen years, then to his child or children under said age, divided in such manner as the Board of Trustees in its discretion shall determine, to continue as a joint and survivorship pension for the benefit of the child or children under such age until every child dies or attains said age; or

(d) If there be no widow or child under the age of eighteen years surviving such deceased member, then to his dependent father or dependent mother, as the deceased member shall have nominated by written designation, duly acknowledged and filed with the Board of Trustees, or if there be no such nomination, then to his dependent father or to his dependent mother as the Board of Trustees in its discretion shall direct, to continue for life; or

(e) If no beneficiary has been designated, and if a member dies intestate and without heirs, then the amounts which would have been paid out under the provisions of paragraphs (8) or (9) shall remain part of the funds of the system, and shall be credited to such accounts as the Board of Trustees may direct.

Of the total amount to be paid under this paragraph, fifty per cent (50%) of the average final compensation of such employee shall be paid by the Board of Trustees of the Fire and Police Employees Retirement System of the City of Baltimore and the balance of said amount shall be paid out of the Workmen's Compensation Liability Fund, as contained in the annual Ordinance of Estimates.

RETURN OF ACCUMULATED CONTRIBUTIONS

(10) Should a member cease to be an employee except by death or retirement under the provisions of this subtitle, he shall be paid such part of the amount of the accumulated contributions standing to the credit of his individual account in the Annuity Savings Fund as he shall demand; provided, however, that the Board of Trustees may, in its discretion, withhold for not more than one year after a member has ceased to be an employee all or part of his accumulated contributions, if after a previous discontinuance of service he withdrew from the Annuity Savings Fund all or part of the amount of his accumulated contributions and failed to re-deposit such withdrawn amount in such fund.

OPTIONAL ALLOWANCES

(11) (a) In lieu of the disability or service allowances payable under the aforesaid provisions, any member may, within thirty days after the effective date of retirement, elect a reduced retirement allowance of equivalent actuarial value in one of the optional forms set out below. The election of the option shall be made on a form provided for that purpose and shall be filed with the Board of Trustees. A member who has elected an optional benefit may change such election by due notice to the Board of Trustees, but no change may be made after the first payment of his allowance becomes normally due.

Option 1. If the member dies before he has received in annuity payments the present value of his annuity computed as of the time of his retirement, the balance of the annuity reserve remaining unpaid shall be paid to such person, if any, as he shall have nominated by written designation duly acknowledged and filed with the Board of Trustees, otherwise to his estate; or

Option 2. If the member dies before he has received in payments the present value of his retire-

ment allowance as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Trustees; or

Option 3. Upon the member's death, his reduced retirement allowances shall be continued throughout the life of and paid to such person as he shall have nominated by written designation duly acknowledged and filed with the Board of Trustees at the time of his retirement; or

Option 4. Upon the member's death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall have nominated by written designation duly acknowledged and filed with the Board of Trustees at the time of his retirement; or

Option 5. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall have nominated, provided such other benefit or benefits, together with the lesser retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the Board of Trustees.

(b) Notwithstanding anything to the contrary in this sub-title, should a member be removed from a regular permanent position of the City without fault upon his part, or should a member appointed or elected for a fixed term not be reappointed or re-elected, after the completion of fifteen years of creditable service and the attainment of age forty-five, or after the completion of twenty years of creditable service regardless of age, such member may elect, in lieu of the withdrawal of his accumulated contributions, to have such contributions paid to him in an annuity of equivalent actuarial value, in which event he shall also be paid a pension equal to the ordinary disability pension that would have

been payable at such time had he been retired on an ordinary disability retirement.

The Board of Estimates of the Mayor and City Council of Baltimore shall provide for and pay to the Retirement System for the purpose of paying such pensions the additional amount so required. The payment of all such pensions and the continued payment of such pensions shall be contingent on the payment annually by the Mayor and City Council of Baltimore of the additional amount so required to meet the current disbursement of such pensions. Should such a beneficiary be restored to active service, his retirement allowance shall cease, he shall again become a member of the Retirement System, and he shall contribute thereafter at the same rate he paid prior to his retirement; provided, however, that should such beneficiary be appointed or elected to any office, the salary or compensation of which is paid by the City, his retirement allowance shall cease, and he may again become a member of the Retirement System and shall contribute thereafter at the same rate he paid prior to his retirement. Any prior service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect and, in addition, upon his subsequent retirement he shall be credited with all his service as a member, provided his pension upon such subsequent retirement shall not exceed the pension he was receiving prior to restoration plus such pension as may have accrued on account of his membership service after restoration.

MANAGEMENT OF FUNDS

34. (1) The Board of Trustees shall be the trustees of the several funds created by this subtitle as provided in Section 35, and shall have full power to invest and reinvest such funds in bonds or notes, secured by the faith and credit of the United States or of the following agencies of the United States: Federal Intermediate Credit Bank, Federal Land Bank, Federal Home Loan Bank, Federal National Mortgage Association and Banks for Cooperatives;

or in coin or treasury notes of the United States, or in corporate bonds having an investment rating not lower than those commonly referred to as AA or AAA, or in interest-paying or dividend-paying bonds or stock secured by the faith and credit of this State or of any other State of the Union, or of Baltimore City, or of any of the several Counties of this State, having legal authority to issue the same, and not in default. Subject to the terms, conditions, limitations and restrictions imposed by the law of Maryland upon life insurance companies in the making and disposing of their investments, as herein qualified, limited and restricted by the provisions of this section, said trustees shall have full power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the funds created herein shall have been invested, as well as the proceeds of said investments and any moneys belonging to said funds.

(2) The Board of Trustees annually shall allow regular interest on the mean amount for the preceding year in each of the funds with the exception of the Expense Fund. The amounts so allowed shall be due and payable to said funds, and shall be annually credited thereto by the Board of Trustees from interest and other earnings on the moneys of the retirement system. Any additional amount required to meet the interest on the funds of the retirement system shall be paid by the City of Baltimore and any excess of earnings over such amount required shall be deductible from the amounts to be contributed by the City of Baltimore.

(3) The City Treasurer of the City of Baltimore shall be the custodian of the several funds. All payments from said funds shall be made by him only upon vouchers signed by two persons designated by the Board of Trustees. A duly attested copy of a resolution of the Board of Trustees designating such persons and bearing upon its face specimen signatures of such persons shall be filed with the City Treasurer as his authority for making pay-

ments upon such vouchers. No voucher shall be drawn unless it shall have been previously authorized by resolution of the Board of Trustees.

(4) For the purpose of meeting disbursements for pensions, annuities, and other payments there may be kept available cash, not exceeding ten per centum of the total amount in the several funds of the retirement system, on deposit in one or more banks or trust companies of the City of Baltimore, organized under the laws of the State of Maryland or of the United States, provided that the sum on deposit in any one bank or trust company shall not exceed twenty-five per centum of the paid-up capital and surplus of such bank or trust company.

(5) Except as otherwise herein provided, no trustee and no employee of the Board of Trustees shall have any direct interest in the gains or profits of any investment made by the Board of Trustees, nor as such receive any pay or emolument for his services. No trustee or employee of the Board shall, directly or indirectly, for himself or as an agent in any manner use the same, except to make such current and necessary payments as are authorized by the Board of Trustees; nor shall any trustee or employee of the Board of Trustees become an endorser or surety or in any manner an obligor for moneys loaned by or borrowed from the Board of Trustees.

METHOD OF FINANCING

35. All of the assets of the retirement system shall be credited according to the purpose for which they are held to one of five funds, namely, the Annuity Savings Fund, the Annuity Reserve Fund, the Pension Accumulation Fund, the Pension Reserve Fund, and the Expense Fund.

ANNUITY SAVINGS FUND

(1) (a) The Annuity Savings Fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their an-

nuities. Upon the basis of such tables as the Board of Trustees shall adopt and regular interest, the actuary of the retirement system shall determine for each member the proportion of compensation which, when deducted from each payment of his prospective earnable annual compensation prior to his attainment of age fifty and accumulated at regular interest until his attainment of such age shall be computed to provide at the time an annuity equal to the pension to which he will be entitled at that age on account of his service as a member. Such proportion of compensation shall be computed to remain constant.

(b) The proportion so computed for a member age forty-nine shall be applied to a member who attains a greater age before he becomes a member of the retirement system. The Board of Trustees shall certify to the head of each department and the head of each department shall cause to be deducted from the salary of each member on each and every payroll of such department for each and every payroll period the proportion of earnable compensation of each member so computed. But the head of any department shall not make any deduction for annuity purposes from the compensation of a member who elects not to contribute if he has attained age fifty and has completed twenty-five years of service. In determining the amount earnable by a member in a payroll period, the Board of Trustees may consider the rate of annual compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit deduction from compensation for any period less than a full payroll period if an employee was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per centum of the annual compensation upon the basis of which such deduction is to be made.

(c) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefits provided under this subtitle. The head of each department shall certify to the Board of Trustees on each and every payroll the amounts to be deducted; and each of said amounts shall be deducted, and when deducted shall be paid into said Annuity Savings Fund, and shall be credited, together with regular interest thereon, to the individual account of the member from whose compensation said deduction was made.

(d) In addition to the contributions deducted from compensation as hereinbefore provided, subject to the approval of the Board of Trustees, any member may redeposit in the Annuity Savings Fund by a single payment or by an increased rate of contributions an amount equal to the total amount which he previously withdrew therefrom as provided in this subtitle, or any part thereof; or any member may deposit therein by a single payment or by an increased rate of contribution an amount computed to be sufficient to purchase an additional annuity, which, together with his prospective retirement allowance, will provide for him a total retirement allowance not in excess of two-thirds of his average final compensation at age fifty years of creditable service, whichever would first occur. Such additional amounts so deposited shall become a part of his accumulated contributions except in the case of disability retirement, when that shall be treated as excess contributions returnable to the member in cash or as an annuity of equivalent actuarial value. The accumulated contributions of a member with-

drawn by him, or paid to his estate or to his designated beneficiary in event of his death as provided in this subtitle, shall be paid from the Annuity Savings Fund. Upon retirement of a member his accumulated contributions shall be transferred from the Annuity Savings Fund to the Annuity Reserve Fund.

ANNUITY RESERVE FUND

(2) The Annuity Reserve Fund shall be the fund from which shall be paid all annuities and all benefits in lieu of annuities, payable as provided in this subtitle. Should a beneficiary retired on account of disability be restored to active service with a compensation not less than his average final compensation at the time of his last retirement his annuity reserve shall be transferred from the Annuity Reserve Fund to the Annuity Savings Fund and credited to his individual account therein.

PENSION ACCUMULATION FUND

(3) (a) The Pension Accumulation Fund shall be the fund in which shall be accumulated all reserves for the payment of all pensions and other benefits payable from contributions made by the City of Baltimore and from which shall be paid all pensions and other benefits on account of members with prior service credit and lump sum death benefits for all members payable from the said contributions. Contributions to and payments from the Pension Accumulation Fund shall be made as follows:

(b) On account of each member there shall be paid annually into the Pension Accumulation Fund by the City of Baltimore, for the preceding fiscal year, a certain percentage of the earnable compensation of each member to be known as the "normal contribution", and an additional percentage of his earnable compensation to be known as the "accrued liability contribution". The rates per centum of such contributions shall be fixed on the basis of the liabil-

ities of the retirement system as shown by actuarial valuation.

(c) On the basis of regular interest and of such mortality and other tables as shall be adopted by the Board of Trustees, the actuary engaged by the Board to make each valuation required by this subtitle during the period over which the deficiency contribution is payable, immediately after making such valuation, shall determine the uniform and constant percentage of the earnable compensation of the average new entrant, which, if contributed on the basis of compensation of such new entrant throughout his entire period of active service would be sufficient to provide for the payment of any death benefit or pension payable on his account. The rate per centum so determined shall be known as the "normal contribution" rate. After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the rate per centum of the earnable salary of all members obtained by deducting from the total liabilities of the Pension Accumulation Fund the amount of the funds in hand to the credit of that fund and dividing the remainder by one per centum of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the Board of Trustees and regular interest. The normal rate of contribution shall be determined by the actuary after each valuation.

(d) Immediately succeeding the initial valuation, the actuary engaged by the Board of Trustees shall compute the rate per centum of the total annual compensation of all members which is equivalent to five per centum of the amount of the total pension and death benefit liability on account of all members and beneficiaries which is not dischargeable by the funds in hand and the aforesaid normal contribution made on account of such members during the remainder of their active service. The rate per centum so determined shall be known as the "accrued liability contribution rate".

(e) The total amount payable in each year to the Pension Accumulation Fund shall be not less than the sum of the rates per centum known as the normal contribution rate and the accrued liability contribution rate of the total compensation earnable by all members during the preceding year; provided, however, that the amount of each annual accrued liability contribution shall be at least three per centum greater than the preceding annual accrued liability payment, and that the aggregate payment by the City of Baltimore shall be sufficient, when combined with the amount in the fund to provide the pensions and other benefits payable out of the fund during the year then current.

(f) The accrued liability contribution shall be discontinued as soon as the accumulated reserve in the Pension Accumulation Fund shall equal the present value, as actuarially computed and approved by the Board of Trustees, of the total liability of such fund less the present value, computed on the basis of the normal contribution rate then in force, of the prospective normal contributions to be received on account of persons who are at that time members.

(g) All pensions, and benefits in lieu thereof, with the exception of those payable on account of members who receive no prior service allowance, and all lump sum death benefits on account of death in active service payable from contributions of the City of Baltimore shall be paid from the Pension Accumulation Fund.

(h) Upon the retirement of a member not entitled to credit for prior service, an amount equal to his pension reserve shall be transferred from the Pension Accumulation Fund to the Pension Reserve Fund.

PENSION RESERVE FUND

(4) The Pension Reserve Fund shall be the fund from which shall be paid the pension to members not entitled to credit for prior service and benefits

in lieu thereof. Should such a beneficiary retired on account of disability be restored to active service with a compensation not less than his average final compensation at the time of his last retirement, the pension reserve thereon shall be transferred from the Pension Reserve Fund to the Pension Accumulation Fund. Should the pension of such a disability beneficiary be reduced as a result of an increase in his earning capacity, the amount of the annual reduction in his pension shall be paid annually into the Pension Accumulation Fund during the period of such reduction.

EXPENSE FUND

(5) The Expense Fund shall be the fund to which shall be credited all money provided by the City of Baltimore to pay the administration expenses of the retirement system, and from which shall be paid all the expenses necessary in connection with the administration and operation of the system. Annually, the Board of Trustees shall estimate the amount of money necessary to be paid into the Expense Fund during the ensuing year to provide for the expense of operation of the retirement system, and such estimate shall be submitted to the Board of Estimates, in accordance with the provisions of Section 30 of the Baltimore City Charter (1949 Edition).

(6) On or before the 1st day of August, 1962 and in each year thereafter the Board of Trustees shall certify to the Board of Estimates the amount of the appropriation necessary to pay to the various funds of the retirement system the amounts payable by the City of Baltimore as enumerated in this subtitle for the year beginning on January first of the succeeding year and items of appropriation providing such amounts shall be included in the Ordinance of Estimates.

TRANSFER OF FUNDS

(7) Within sixty days following the date of establishment of the Retirement System, the actuary shall

be required to certify the amount on deposit in the annuity savings fund and the pension accumulation fund which are applicable to members of the Employees Retirement System who transfer to the Retirement System, and such amount shall be transferred to the credit of the corresponding funds of the Retirement System.

GUARANTY

36. The creation and maintenance of reserves in the Pension Accumulation Fund, the maintenance of annuity reserves and pension reserves as provided for, and regular interest creditable to the various funds as provided in Section 34, Subsection (2) of this subtitle and the payment of all pensions, annuities, retirement allowances, refunds and other benefits granted under the provisions of this subtitle and all expenses in connection with the administration and operation of this retirement system are hereby made obligations of the City of Baltimore. All income, interest and dividends derived from deposits and investments authorized by this subtitle shall be used for the payment of the said obligations of the said City. Any amounts derived therefrom which, when combined with the regular amounts, otherwise contributable by the City of Baltimore as provided under the provisions of this subtitle, exceed the amount required to provide such obligations, shall be used to reduce the regular appropriations otherwise required.

EXEMPTION FROM EXECUTION

37. The right of a person to a pension, an annuity or a retirement allowance, to the return of contributions, the pension, annuity or retirement allowance itself, any optional benefit or death benefit, or any other right accrued or accruing to any person under the provisions of this subtitle, and the moneys in the various funds created by this subtitle, shall not be subject to execution, garnishment, attachment, or any other process whatsoever, and shall be unassignable except as in this subtitle specifically provided.

PROTECTION AGAINST FRAUD

38. Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act shall be guilty of a misdemeanor, and shall be punishable therefor under the laws of the State of Maryland. Should any change or error in the records result in any member of beneficiary receiving from the retirement system more or less than he would have been entitled to receive had the records been correct, the Board of Trustees shall correct such error and, as far as practicable, shall adjust the payments in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

LIMITATION OF OTHER STATUTES

39. (1) No other provision of any local law or ordinance which provides wholly or partly at the expense of the City of Baltimore for pensions or retirement benefits for employees of the said City, their widows or other dependents, shall apply to members or beneficiaries of the retirement system established by this subtitle, their widows or other dependents.

(2) If any section or part of any section of this subtitle is declared to be unconstitutional, the remainder of this subtitle shall not thereby be invalidated.

(3) All provisions of law inconsistent with the provisions of this subtitle are hereby repealed to the extent of such inconsistency.

HEARINGS

40. The Board of Trustees, upon its own initiative, or upon the request of an applicant for the benefits provided for by this subtitle, shall conduct a hearing on said claim, which hearing shall be conducted as a judicial proceeding, all witnesses testifying under oath or by affirmation, and a record of

the proceedings shall be made and kept. At such hearing, the investigation shall be conducted in such manner as to ascertain the substantial rights of the parties and the Board of Trustees shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect July 1, 1962, except that it shall become effective immediately so far as to permit the making of such preparations as may be necessary to provide for the administration of said ordinance on that date.

Approved June 22, 1962.

J. HAROLD GRADY, *Mayor*

No. 1286

(Council No. 1697)

An ordinance authorizing the Mayor and City Council of Baltimore to acquire by purchase or by condemnation for public park purposes the fee simple interest in and to the two parcels of land situate in Baltimore City between Northwood Drive, Glenwood Avenue and Perring Parkway, and binding along Chinquapin Run, containing a total of 35.8628 acres, more or less.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or by condemnation for public park purposes the fee simple interest in and to the two parcels of land situate in Baltimore City, with the improvements thereon, described as follows:

Beginning for the first parcel at a point on the east side of Northwood Drive, 50 feet wide, at the distance of 330.58 feet southerly, measured along

the east side of said Northwood Drive from the southeast corner of said Northwood Drive and Woodbourne Avenue, 80 feet wide, said point being the end of the fourth line of the parcel of land which by deed, dated October 16, 1961, and recorded among the Land Records of Baltimore City, in Liber J.F.C. No. 1161, folio 409, was conveyed by The Roland Park Company to Angela Grove, Inc., and running thence southerly, binding on the east side of said Northwood Drive, by a line curving to the left, with a radius of 605.0 feet, the distance of about 217.92 feet to intersect the north side of Glenwood Avenue, 50 feet wide; thence easterly binding on the north side of said Glenwood Avenue, the two following courses and distances, namely, by a line curving to the right, with a 2290.0 foot radius the distance of about 367.63 feet and North 88 degrees 49 minutes 03 seconds East 209.33 feet to intersect the northeast side of Kelway Road, 50 feet wide; thence binding on the northeast and southeast sides of said Kelway Road the three following courses and distances, namely by a line curving to the right, with a radius of 203.03 feet, the distance of 387.54 feet, (the chord of the arc bears South 36 degrees 30 minutes 01.5 seconds East 331.33 feet), South 18 degrees 10 minutes 54 seconds West 232.25 feet and by a line curving to the left, with a 40.0 foot radius, the distance of 77.89 feet (the chord of the arc bears South 37 degrees 36 minutes 08.5 seconds East 66.15 feet) to intersect the north side of Kitmore Road, 50 feet wide; thence binding on the north side of said Kitmore Road the five following courses and distances, namely, easterly by a line curving to the right with a radius of 1955.00 feet, the distance of about 48.04 feet, North 88 degrees 01 minutes 29 seconds East 13.33 feet, by a line curving to the right with a radius of 3332.83 feet, the distance of 202.98 feet (the chord of the arc bears North 89 degrees 46 minutes 10 seconds East 202.95 feet), South 88 degrees 29 minutes 09 seconds East 291.22 feet and by a line curving to the right with a 820.0 foot radius, the distance of 193.04 feet (the chord of the arc bears South 81 degrees 44 minutes 29.5

seconds East 192.60 feet) to intersect the west side of Loch Raven Boulevard, 120 feet wide; thence binding on the west side of said Loch Raven Boulevard North 15 degrees 00 minutes 10 seconds East about 466.08 feet to the beginning of the third line of the parcel of land which by deed, dated October 9, 1959, and recorded among the aforesaid Land Records in Liber J.F.C. No. 739, folio 556, was conveyed by Jacob Meyerhoff and wife to Robert E. and Harry C. Meyerhoff; thence binding on the third, fourth, fifth and sixth lines of said last mentioned deed, the four following courses and distances, namely, North 74 degrees 59 minutes 50 seconds West, 144.89 feet, by a line curving to the right with a radius of 112.00 feet, the distance of 162.82 feet (the chord of the arc bears North 33 degrees 21 minutes 00 seconds West 148.86 feet), North 08 degrees 17 minutes 50 seconds East 18.00 feet and North 81 degrees 42 minutes 10 seconds West 98.00 feet to the end of the eighth line of the land which by deed, dated May 26, 1925, and recorded among the aforesaid Land Records in Liber S.C.L. No. 4396, folio 567, was conveyed by Safe Deposit and Trust Company of Baltimore to The Woodbourne Corporation; thence binding reversely on part of the eighth line of said last mentioned deed South 51 degrees 11 minutes 30 seconds West 385.00 feet to the beginning of the 17th line of the land which by deed, dated February 28, 1930, and recorded among the aforesaid Land Records in Liber S.C.L. No. 5096, folio 88, was conveyed by Charles S. Abell and wife to The Marble Hall Company and thence binding on the 17th, 18th, 19th, 20th, 21st and on part of the 22nd lines of said deed the six following courses and distances, namely, North 43 degrees 50 minutes 48 seconds West 326.87 feet, North 77 degrees 35 minutes 48 seconds West 170.00 feet, South 84 degrees 24 minutes 12 seconds West 100.00 feet, South 59 degrees 54 minutes 12 seconds West 110.00 feet, North 77 degrees 05 minutes 48 seconds West 80.00 feet and North 05 degrees 35 minutes 48 seconds West 134.57 feet to the end of the fifth line of the first aforementioned deed from The Roland Park Company to Angela Grove, Inc., and thence binding

reversely on the fifth line of said land South 84 degrees 24 minutes 12 seconds West 248.57 feet to the place of beginning.

Containing 11.4233 acres of land, more or less.

Beginning for the second parcel at the point formed by the intersection of the east side of Loch Raven Boulevard, 120 feet wide, and the north side of Winston Avenue, 50 feet wide, and running thence binding on the east side of said Loch Raven Boulevard North 15 degrees 00 minutes 10 seconds East 555.74 feet to the end of the last line of the land which by deed, dated October 16, 1943, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6504, folio 593, was conveyed by The Roland Park Company to the Boulevard Land Company, thence binding reversely on said last line to and along the south side of Hartsdale Road, 50 feet wide, easterly by a line curving to the right, with a radius of 775.00 feet, the distance of 632.55 feet (the chord of the arc bears South 64 degrees 07 minutes 10.5 seconds East 615.14 feet); thence still binding on the south side of said Hartsdale Road and reversely on the 10th, 9th and 8th lines of said land, the three following courses and distances, namely, easterly by a line curving to the left, with a radius of 594.92 feet, the distance of 405.38 feet (the chord of the arc bears South 60 degrees 15 minutes 28 seconds East 397.58 feet), easterly by a line curving to the right, with a radius of 1400.00 feet, the distance of 462.67 feet (the chord of the arc bears South 70 degrees 18 minutes 39 seconds East 460.57 feet, and easterly by a line curving to the left, with a radius of 1387.44 feet, the distance of 310.67 feet (the chord of the arc bears South 67 degrees 15 minutes 29 seconds East 310.02 feet) to the southwest side of Hillen Road, as now laid out; thence binding on the southwest and northwest sides of said Hillen Road, the six following courses and distances, namely, southeasterly by a line curving to the right, with a radius of 63.32 feet, the distance of 18.85 feet (the chord of the arc bears South 65 degrees 08 minutes 00 seconds East 18.75 feet) South 56 de-

grees 37 minutes 00 seconds East 23.64 feet, by a line curving to the right, with a radius of 101.31 feet, the distance of 97.19 feet (the chord of the arc bears South 29 degrees 08 minutes 15 seconds East 93.50 feet), South 01 degrees 39 minutes 20 seconds East 237.61 feet, southerly by a line curving to the right, with a radius of 38.00 feet, the distance of 27.16 feet (the chord of the arc bears South 18 degrees 49 minutes 10 seconds East 26.58 feet) and South 39 degrees 17 minutes 40 seconds West 17.34 feet to intersect the first line of the land which by deed, dated February 28, 1930, and recorded among the aforesaid Land Records in Liber S.C.L. No. 5096, folio 82, was conveyed by Robert Garrett, et al. to the Montebello Swansea Company; thence binding reversely on part of the first line of said deed North 57 degrees 15 minutes 00 seconds West 133.12 feet to the southeast side of Hillen Road, as now closed, in accordance with Ordinance No. 1861, approved March 20, 1959; thence binding on the southeast side of Hillen Road, as now closed, the two following courses and distances, namely, South 15 degrees 28 minutes 50 seconds West 2.63 feet and South 21 degrees 40 minutes 00 seconds West 71.46 feet to the southern extremity of Hillen Road, as now closed; thence binding on the southern extremity of said Hillen Road North 71 degrees 56 minutes 40 seconds West 36.56 feet to intersect the 20th line of the land which by deed, dated May 26, 1925, and recorded among the aforesaid Land Records in Liber S.C.L. No. 4396, folio 567, was conveyed by Safe Deposit and Trust Company of Baltimore to The Woodbourne Corporation; thence binding on part of the 20th line of said deed, South 21 degrees 06 minutes 04 seconds West 140.69 feet to intersect the north side of Stonewood Road, 50 feet wide, and to the end of the ninth line of Parcel "B" of the land which by deed, dated September 22, 1943, and recorded among the aforesaid Land Records in Liber M.L.P. No. 6507, folio 451, was conveyed by The Roland Park Company to Columbia Construction Company, Inc., and thence binding on the north side of said Stonewood Road and continuing on the north side of said Winston

Avenue and binding reversely on the 9th, 8th, 7th, 6th, 5th, 4th and 3rd lines of said last mentioned deed, the seven following courses and distances, namely, North 76 degrees 39 minutes 50 seconds West 76.00 feet, westerly by a line curving to the left with a radius of 610.00 feet, the distance of 217.43 feet (the chord of the arc bears North 86 degrees 52 minutes 30 seconds West 216.28 feet), westerly by a line curving to the right, with a radius of 458.00 feet, the distance of 494.69 feet (the chord of the arc bears North 66 degrees 08 minutes 35 seconds West 470.99 feet) westerly by a line curving to the left, with a radius of 611.00 feet, the distance of 385.74 feet (the chord of the arc bears North 53 degrees 17 minutes 10 seconds West 379.37 feet), North 71 degrees 22 minutes 20 seconds West 280.00 feet, westerly by a line curving to the right with a radius of 834.00 feet, the distance of 250.15 feet (the chord of the arc bears North 62 degrees 46 minutes 46 seconds West 249.22 feet) and westerly by a line curving to the left, with a radius of 367.00 feet the distance of 107.94 feet (the chord of the arc bears North 62 degrees 36 minutes 46 seconds West 107.56 feet), to the place of beginning.

Containing 24.4395 acres of land, more or less.

SEC. 2. *And be it further ordained*, That the Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this ordinance the fee simple interest in and to said parcels of land, with the improvements thereupon. If the said Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate,

is or are unable to agree with the owner or owners on the purchase price for said parcels of land and the improvements thereon, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest in and to said parcels of land herein described.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1287

(Council No. 1785)

An ordinance authorizing the acquisition by purchase or by condemnation by the Mayor and City Council of Baltimore for public school purposes of the fee simple interest, together with the improvements thereon, in and to the parcel of land situate in Baltimore City at the intersection of the east side of Pioneer Drive and the north side of Westfield Avenue, containing 0.289 acres of land, more or less.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or by condemnation for public school purposes the fee simple interest in and to the parcel of land situate in Baltimore City, with the improvements thereon, described as follows:

Beginning for the same at the point formed by the intersection of the east side of Pioneer Drive,

50 feet wide, and the north side of Westfield Avenue, 50 feet wide, as shown on the re-subdivision of part of Hamilton Park, Grindon Realty Company, dated September 21, 1954, surveyed by Purdum and Jeschke, Civil Engineers and Land Surveyors, and running thence binding on the north side of said Westfield Avenue South 86 degrees 55 minutes 30 seconds East 105.0 feet to intersect the west side of an Alley, 15 feet wide, there situate; thence binding on the west side of said alley, North 03 degrees 04 minutes 30 seconds East 120.0 feet to intersect the north side of another Alley 15 feet wide, there situate; thence binding on the line of the north side of said last mentioned Alley, produced westerly and parallel with and distant 120.0 feet northerly from the north side of said Westfield Avenue, North 86 degrees 55 minutes 30 seconds West 105.0 feet to intersect the east side of said Pioneer Drive and thence binding on the east side of said Pioneer Drive South 03 degrees 04 minutes 30 seconds West 120.0 feet to the place of beginning.

Containing 12,600.0 square feet or 0.289 acres of land, more or less.

SEC. 2. *Be it further ordained*, That the Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this ordinance the fee simple interest in and to said parcel of land, with the improvements thereupon. If the said Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are unable to agree with the owner or owners on

the purchase price for said parcel of land and the improvements thereon, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest in and to said parcel of land herein described.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1288

(Council No. 1965)

An ordinance to amend Sheet No. 55 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the First Commercial Use District to the Second Commercial Use District the property on the west side of Eutaw Street, south of Mulberry Street, and known generally as 316-322 North Eutaw Street, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 55 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the First Commercial Use District to the Second Commercial Use District the property on the west side of Eutaw

Street, south of Mulberry Street, and known generally as 316-322 North Eutaw Street, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1289

(Council No. 1982)

An ordinance to amend Sheet No. 45 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, and as otherwise amended:

1. By changing from "Second Commercial Use District" to "First Commercial Use District"

the area generally bounded by Biddle Street, Madison Avenue, Preston Street, Tiffany Alley from Preston Street southeast for 290 feet more or less, southwest along a line parallel to and 250 feet more or less northwest of Biddle Street from Tiffany Alley to McCulloh Street, and McCulloh Street, all as outlined in red on the four use district plats accompanying this Ordinance;

2. And by changing from "Residential Use District" to "First Commercial Use District" the area generally bounded by Preston Street, McCulloh Street from Preston Street southeast for 290 feet more or less, northeast along a line parallel to and 290 feet more or less southeast of Preston Street to Tiffany Alley, and Tiffany Alley, all as outlined in green on the four use district plats accompanying this Ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 45 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, and as otherwise amended, be and it is otherwise amended:

a. by changing from "Second Commercial Use District" to "First Commercial Use District" the area generally bounded by Biddle Street, Madison Avenue, Preston Street, Tiffany Alley from Preston Street southeast for 290 feet more or less, southwest along a line parallel to and 250 feet more or less northwest of Biddle Street from Tiffany Alley to McCulloh Street, and McCulloh Street, all as outlined in red on the four Use District plats accompanying this Ordinance;

b. and by changing from "Residential Use District" to "First Commercial Use District" the area generally bounded by Preston Street, McCulloh Street from Preston Street southeast for 290 feet more or less, northeast along a line parallel to and 290 feet more or less southeast of Preston

Street to Tiffany Alley, and Tiffany Alley, all as outlined in green on the four Use District plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council and, upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1290

(Council No. 1995)

An ordinance to amend Sheets Nos. 55 and 56 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition) title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, by changing from "Second Commercial Use District", to "First Commercial Use District", the area generally bounded by Charles Street, Lombard Street, Hopkins Place, and an

irregular line parallel to and 80 feet, more or less, north of Redwood Street, as outlined in red on the four Use District Plats accompanying this Ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheets Nos. 55 and 56 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, be and they are hereby amended by changing from "Second Commercial Use District", to "First Commercial Use District", the area generally bounded by Charles Street, Lombard Street, Hopkins Place, and an irregular line parallel to and 80 feet, more or less, north of Redwood Street, as outlined in red on the four Use District Plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1291

(Council No. 2036)

An ordinance to add Section 162 (1) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Aliceanna Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Aliceanna Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 162 (1) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

162.

(1). Aliceanna Street, north side, from Broadway to Ann Street, between the hours of 8 A. M. and 6 P. M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1292

(Council No. 2037)

An ordinance to repeal Sections 134 (5-c) and 134 (5-d) of Article 38 of the Baltimore City Code

(1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance No. 174 approved December 14, 1955, repealing ordinances which regulate the stopping and parking of vehicles between Centre Street and Biddle Street; and to repeal Section 134 (5-g) of said Article and sub-title as ordained by Ordinance No. 1124 approved November 20, 1957, repealing an ordinance regulating the stopping of vehicles on the west side of Park Avenue between Mount Royal Terrace and a point 274 feet north of Reservoir Street; and to ordain in lieu thereof a new Section 134 (5-c) to stand in the place of the section by that number so repealed, regulating the stopping of vehicles on the westerly side of Park Avenue from Centre Street to Read Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 134 (5-c) and 134 (5-d) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance No. 174 approved December 14, 1955, be and they are hereby repealed; and that Section 134 (5-g) of said Article and sub-title as ordained by Ordinance No. 1124, approved November 20, 1957, be and it is hereby repealed; and to ordain in lieu thereof a new Section 134 (5-c) to stand in the place of the section by that number so repealed, and to read as follows:

134.

(5-c) No vehicle is permitted to be stopped between the hours of 4:00 p. m. and 6:30 p. m. on any day on the westerly side of Park Avenue between Centre Street and Read Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1293

(Council No. 2038)

An ordinance to add Section 169 (2a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Harford Road to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Harford Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 169 (2a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

169.

(2a). Harford Road, east side, from Shirey Avenue to Rueckert Avenue, between the hours of 8 A. M. and 4:30 P. M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1294

(Council No. 2039)

An ordinance to add Section 164 (1a) to Article 38 of the Baltimore City Code (1950 Edition), title

“Traffic Regulations”, sub-title “Parking Meters”, to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Camden Street to the so-called “Parking Meter Ordinance” and thereby providing for the installation and operation of parking meters on said portion of Camden Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 164 (1a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title “Traffic Regulations”, sub-title “Parking Meters”, to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

164.

(1a). Camden Street, both sides, from Hanover Street to Sharp Street, between the hours of 8 A. M. and 6 P. M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*

No. 1295

(Council No. 2040)

An ordinance to repeal Section 141 (72) of Article 38 of the Baltimore City Code (1950 Edition), title “Traffic Regulations”, sub-title “Parking”, repealing the ordinance which prohibits the standing of vehicles on the east side of Wyeth Street between Washington Boulevard and Cross Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 141 (72) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*

No. 1296

(Council No. 2050)

An ordinance to add a new Section 181 (6a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to follow immediately after Section 181 (6) thereof, as said section and sub-title were ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of the south side of Twenty-ninth Street to the so-called Parking Meter Ordinance and thereby providing for the installation and operation of parking meters on this portion of the south side of Twenty-ninth Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 181 (6a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to follow immediately after Section 181 (6) thereof, as said section and sub-title were ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

181.

(6a). Twenty-ninth Street, south side, from Huntingdon Avenue to Hampden Avenue, between the hours of 8 A. M. and 6 P. M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 25, 1962.

J. HAROLD GRADY, *Mayor*

No. 1297

(Council No. 852)

An ordinance authorizing the acquisition by purchase or by condemnation by the Mayor and City Council of Baltimore for public school purposes of the fee simple interest in and to all those pieces or parcels of land situated in Baltimore City within the perimeter on the northwest by Kirk Avenue, the west by Homewood Avenue, on the northeast by 2149 Kirk Avenue, 931 E. Twenty-second Street and 2028 Cecil Avenue, on the southeast by Cecil Avenue and Oakhill Avenue, on the south by a 15-foot alley north of Twentieth Street and by 2013 Homewood Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or by condemnation for public school purposes the fee simple interest in and to the pieces or parcels of land situate in Baltimore City, with the improvements thereon, described as follows:

Beginning for the same at the point formed by the intersection of the east side of Homewood Avenue and the southeast side of Kirk Avenue, said point being distant 169.52 feet, more or less, north of the northeast corner of Homewood Avenue and 20th

Street and running thence northeasterly, binding on the southeast side of said Kirk Avenue, 480.02 feet to the beginning of the first line of the secondly described parcel of land conveyed by the Shell Oil Company, Inc. to Belworth, Inc. by deed, dated August 3, 1961, and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 1119, folio 343; thence binding on the first line of the second parcel of said deed southeasterly 140.0 feet, more or less, to intersect the third line of the secondly described parcel of land conveyed by Milton B. Edelson, et al. to Louis A. Crystal by deed, dated September 9, 1946, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 7001, folio 190, thence binding on part of the third line and on the fourth line of the second parcel of said last mentioned deed the two following courses and distances, namely, northeasterly 4.31 feet, more or less, and southeasterly, 31.83 feet, more or less, to intersect the northwest side of Oakhill Avenue, thence southwesterly, binding on the northwest side of said Oakhill Avenue, 53.00 feet, more or less, to intersect the second line produced northwesterly across said Oakhill Avenue, of the parcel of land conveyed by Harry L. Warnken to Ernest D. Tucker, et al. by deed, dated March 21, 1956, and recorded among the aforesaid Land Records in Liber M.L.P. No. 10096, folio 488; thence southeasterly, binding reversely on said line so produced, crossing said Oakhill Avenue and continuing the same binding reversely on the second line of said last mentioned deed, in all, 109.42 feet, more or less, to intersect the northwest side of Cecil Avenue; thence binding on the northwest and west sides of said Cecil Avenue, the two following courses and distances, namely, southwesterly 19.21 feet, more or less, and southerly 177.0 feet, more or less, to intersect the north side of an alley, 15 feet wide, laid out parallel with and distant 90.0 feet north of the north side of 20th Street, thence westerly, binding on the north side of said alley and continuing the same course, crossing a 15-foot alley east of said Oakhill Avenue,

Oakhill Avenue and a 15-foot alley west of said Oakhill Avenue and binding on the division line between the properties known as No. 2013 and No. 2015 Homewood Avenue, in all, 488.10 feet, more or less, to intersect the east side of said Homewood Avenue and thence northerly, binding on the east side of said Homewood Avenue, 64.52 feet, more or less, to the place of beginning.

SEC. 2. *And be it further ordained*, That the Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this ordinance the fee simple interest in and to said pieces or parcels of land, with the improvements thereupon.

If the said Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are unable to agree with the owner or owners on the purchase price for said pieces or parcels of land and the improvements thereon, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest in and to said pieces or parcels of land herein described.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 26, 1962.

J. HAROLD GRADY, *Mayor*

No. 1298

(Council No. 1733)

An ordinance to amend Sheet No. 37 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the Second Commercial Use District the property on the south side of Ravenwood Avenue, east of Belair Road, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Sheet No. 37 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the Second Commercial Use District the property on the south side of Ravenwood Avenue, east of Belair Road, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this

ordinance shall take effect from the date of its passage.

Approved June 26, 1962.

J. HAROLD GRADY, *Mayor*

No. 1299

(Council No. 1873)

An ordinance to amend Sheet No. 64 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the First Commercial Use District, the property on the west side of Loudon Avenue, south of Frederick Avenue, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 64 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the First Commercial Use District, the property on the west side of Loudon Avenue, south of Frederick Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and

the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 26, 1962.

J. HAROLD GRADY, *Mayor*

No. 1300

(Council No. 1879)

An ordinance authorizing the acquisition by purchase or condemnation, by the Mayor and City Council of Baltimore, of the fee simple interest or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of Greenspring Avenue, varying in width from about 122.0 feet to 60.0 feet, from Cold Spring Lane southerly to a point on Greenspring Avenue about 151.0 feet south of Oswego Avenue; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Greenspring Avenue; and authorizing the making of all necessary agreements concerning said Greenspring Avenue; and authorizing the construction of said Greenspring Avenue; the location and course of said Greenspring

Avenue being shown on a plat thereof numbered 91-A-47D, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Second (2nd) day of April, 1962.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or condemnation for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of Greenspring Avenue, varying in width from about 122.0 feet to 60.0 feet from Cold Spring Lane southerly to a point on Greenspring Avenue about 151.0 feet south of Oswego Avenue, the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for the same at the point formed by the intersection of the southwest side of Greenspring Avenue, 60 feet wide, and the south side of Cold Spring Lane, 60 feet wide, and running thence North $53^{\circ}-14'-40''$ East, crossing said Greenspring Avenue diagonally, 170.86 feet to intersect the east side of Greenspring Avenue, as proposed to be widened; thence binding on the east side of said Greenspring Avenue, as proposed to be widened, the two following courses and distances, namely, by a line curving to the left, with a 380.0 foot radius the distance of 175.57 feet, which arc is subtended by a chord bearing South $02^{\circ}-35'-10''$ West 174.01 feet and South $10^{\circ}-39'-00''$ East 54.31 feet to intersect the northeast side of Greenspring Avenue, 60 feet wide; thence binding on the northeast, east and southeast sides of said Greenspring Avenue the six following courses and distances, namely, South $36^{\circ}-02'-55''$ East 27.18 feet, South $34^{\circ}-58'-55''$ East 69.76 feet, South $21^{\circ}-45'-55''$ East 72.96 feet, South $08^{\circ}-32'-55''$ East 73.21 feet, South $05^{\circ}-37'-05''$ West 72.95 feet and South $17^{\circ}-53'-05''$ West 65.62 feet to intersect the east side of said Greenspring Avenue, as proposed to be widened; thence binding on the

east and northeast sides of said Greenspring Avenue, as proposed, the four following courses and distances, namely, South $10^{\circ}-39'-00''$ East 38.68 feet, by a line curving to the left, with a 320.0 foot radius the distance of 166.25 feet, which arc is subtended by a chord bearing South $25^{\circ}-32'-00''$ East 164.39 feet, South $40^{\circ}-25'-00''$ East 257.78 feet and by a line curving to the right, with a 624.72 foot radius the distance of 318.86 feet, which arc is subtended by a chord bearing South $25^{\circ}-47'-42''$ East 315.41 feet to intersect the northeast side of said Greenspring Avenue, 60 feet wide; thence binding on the northeast and east sides of said Greenspring Avenue, 60 feet wide, the two following courses and distances, namely, South $18^{\circ}-30'-55''$ East 17.20 feet and South $04^{\circ}-33'-55''$ East 55.19 feet; thence crossing said Greenspring Avenue South $85^{\circ}-26'-05''$ West 60.0 feet to intersect the west side of said Greenspring Avenue, 60 feet wide; thence binding on the west side of said Greenspring Avenue, as proposed, by a line curving to the left, with a 459.16 foot radius the distance of 68.84 feet, which arc is subtended by a chord bearing North $08^{\circ}-51'-36''$ West 68.77 feet to intersect the southwest side of said Greenspring Avenue, 60 feet wide; thence binding on the southwest side of said Greenspring Avenue, 60 feet wide, North $18^{\circ}-30'-55''$ West 85.79 feet, to intersect the southwest side of said Greenspring Avenue, as proposed, thence binding on the southwest side of said Greenspring Avenue, as proposed, by a line curving to the left, with a 459.16 foot radius the distance of 29.66 feet, which arc is subtended by a chord bearing North $25^{\circ}-43'-35''$ West 29.66 feet to intersect the southwest side of said Greenspring Avenue, 60 feet wide; thence binding on the southwest side of said Greenspring Avenue, 60 feet wide, the two following courses and distances, namely, North $32^{\circ}-49'-55''$ West 55.27 feet and North $36^{\circ}-26'-55''$ West 60.48 feet to intersect the southwest side of said Greenspring Avenue, as proposed; thence binding on the southwest side of said Greenspring Avenue, as proposed, North $40^{\circ}-$

25'-00" West 97.86 feet to intersect the southwest side of said Greenspring Avenue, 60 feet wide; thence binding on the southwest, west and northwest sides of said Greenspring Avenue, 60 feet wide, the eight following courses and distances, namely, North 42°-42'-55" West 1.27 feet, North 46°-36'-55" West 63.11 feet, North 53°-44'-55" West 62.69 feet, North 59°-14'-55" West 67.27 feet, North 48°-53'-55" West 74.74 feet, North 26°-11'-55" West 79.94 feet, North 03°-21'-05" East 77.74 feet and North 17°-53'-05" East 49.30 feet to intersect the west side of said Greenspring Avenue, as proposed; thence binding on the west side of said Greenspring Avenue, as proposed, North 10°-39'-00" West 410.67 feet to intersect the southwest side of said Greenspring Avenue, 60 feet wide, and thence binding on the southwest side of said Greenspring Avenue, 60 feet wide, the three following courses and distances, namely, North 36°-02'-55" West 8.93 feet, North 31°-18'-00" West 45.03 feet and by a line curving to the right with a 218.00 foot radius the distance of 71.38 feet, which arc is subtended by a chord bearing North 21°-55'-12.5" West 71.06 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Greenspring Avenue, the location and course of said Greenspring Avenue being shown on a plat thereof numbered 91-A-47D, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Second (2nd) day of April, 1962.

Any mention or reference to any streets, roads, avenues, highways or alleys in this ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads,

avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained*, That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Greenspring Avenue. If the said Director or Comptroller, or person or persons, are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon, or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said Greenspring Avenue.

SEC. 3. *And be it further ordained*, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33-A of the Code of Public General Laws of the State of Maryland and any and all amendments thereto.

SEC. 4. *And be it further ordained*, That the said Director of Public Works and Comptroller, or person

or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said Greenspring Avenue Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct, or cause to be constructed, the said Greenspring Avenue Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved June 26, 1962.

J. HAROLD GRADY, *Mayor*

No. 1301

(Council No. 1963)

An ordinance to amend the Charles Center Urban Renewal Plan, which was approved by the Mayor and City Council of Baltimore by Ordinance No. 1863, approved March 25, 1959, and amended by Ordinance No. 914, approved July 3, 1961, with regard to (1) the description of Area No. 2 as

shown on Exhibit "A" attached to said plan; (2) the type, kind, size and location of facilities which may be constructed or maintained in certain development areas which are included in said plan; (3) the land coverage and height of structures which may be erected in development areas which are included in said plan; (4) the location and relocation of utilities and other sub-surface structures in certain development areas which are included in said plan; (5) the demolition of above grade structures, with certain exceptions, in certain development areas which are included in said plan; (6) the elimination of Exhibits "A", "B", "C" and "D" which are presently attached to said plan and the insertion in lieu thereof of new Exhibits "A", "B", "C" and "D"; and relating generally to amending, modifying and changing the Charles Center Urban Renewal Plan.

WHEREAS, the Charles Center Urban Renewal Plan was approved by the Mayor and City Council of Baltimore by Ordinance No. 1863, approved March 25, 1959, and amended by Ordinance No. 914, approved July 3, 1961; and

WHEREAS, no substantial change or changes may be made in the Charles Center Urban Renewal Plan, after approval by Ordinance, unless such change or changes are first approved by the Planning Commission and approved and adopted by an Ordinance of the Mayor and City Council of Baltimore; and

WHEREAS, the Baltimore Urban Renewal and Housing Agency desires to amend generally the Charles Center Urban Renewal Plan with regard: (1) to the description of Area No. 2 as shown on Exhibit "A" attached to said Plan; (2) to the type, kind, size and location of facilities which may be constructed or maintained in certain Development Areas which are included in said Plan; (3) to the land coverage and height of structures which may be erected in Development Areas which are included

in said Plan; (4) to the location and relocation of utilities and other sub-surface structures in certain Development Areas which are included in said Plan; (5) to the demolition of above grade structures, with certain exceptions, in certain Development Areas which are included in said Plan; and (6) to the elimination of Exhibits "A", "B", "C" and "D" which are presently attached to said Plan and the insertion in lieu thereof of new Exhibits "A", "B", "C" and "D"; and

WHEREAS, the following amendments were approved by the Planning Commission of Baltimore on April 24, 1962 and approved, adopted and recommended to the City Council, by the Commission of the Baltimore Urban Renewal and Housing Agency on April 26, 1962; now, therefore,

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the following amendments to the Charles Center Urban Renewal Plan (hereinafter referred to as the "Plan") having been duly reviewed and considered, are hereby approved and the Clerk of the City Council is hereby directed to file a copy of said amendments with the Department of Legislative Reference as a permanent public record and make the same available for public inspection and information.

(a) On page 7 of the Plan, strike out lines 33 to 44, both inclusive, and insert in lieu thereof the following:

"Beginning for the same at the corner formed by the intersection of the southeast side of Liberty Street with the southwest side of Lexington Street and running thence southwesterly binding on the southeast side of Liberty Street one hundred and twenty feet and eleven inches to the southwest line of the lot, thence southeasterly binding on said line eighty-four feet and six and one-half inches to Little Sharp Street, thence northeasterly binding on the northwest side of Little Sharp Street one hundred and twenty-one feet to Lexington Street and thence

northwesterly binding on the southwest side of Lexington Street eighty-four feet ten and three-quarter inches to the place of beginning."

(b) On page 9, in line 11, of the Plan, after the word "Factory" insert the following: "(except the existing steam plant of the Baltimore Gas & Electric Company)".

(c) On page 9, in line 18, of the Plan, strike out the words "Tourist cabin;"

(d) On page 9, in line 20, of the Plan, insert the words "where appropriate" after the word "included".

(e) On page 10, in line 3, of the Plan, insert the words "where appropriate" after the word "included".

(f) On page 10, in line 27, of the Plan, strike out the word "designated" and insert in lieu thereof the word "permitted".

(g) On page 10 of the Plan, strike out line 31, and insert in lieu thereof the following: "Tenant Parking Facilities; Commercial Public".

(h) On page 11, in line 2, of the Plan, strike out the word "Underground".

(i) On page 11, in line 4, of the Plan, strike out the word "Underground".

(j) On page 11, in line 7, of the Plan, strike out the word "Underground".

(k) On page 11, in line 8, of the Plan, insert the words "Office Building Facilities;" before the word "Facilities".

(l) On page 11, in line 9, of the Plan, strike out the word "Underground".

(m) On page 11, in line 10, of the Plan, strike out the (.) at the end of the line and insert the following: "; Existing Steam Plant subject to conditions stated in Section VII".

(n) On page 11, in line 13, of the Plan, strike out the word "Underground".

(o) On page 11, in line 15, of the Plan, strike out the word "Underground".

(p) On page 11, in lines 21 and 22, of the Plan, strike out the word "Underground".

(q) On page 11 of the Plan, strike out lines 24 to 30, both inclusive, and insert in lieu thereof the following:

"Development Area No. 9-10-11—Hotel Facilities; Facilities for Retailing, Retail Services, and Related Commercial Activities; Tenant Parking Facilities; Commercial Public Parking Facilities; Limited Surface Parking Spaces for Special Loading and Unloading."

(r) On page 12 of the Plan, strike out lines 1, 2 and 3.

(s) On page 12 of the Plan, strike out lines 4 to 6, both inclusive, and insert in lieu thereof the following:

Development Area No. 12—"Office Building Facilities; Facilities for Retailing, Retail Services, and Related Commercial Activities; Tenant Parking Facilities; Commercial Public Parking Facilities."

(t) On Page 12, in line 11, of the Plan, strike out the word "Underground".

(u) On page 12 of the Plan, strike out lines 14 to 16, both inclusive, and insert in lieu thereof the following:

Development Area No. 15—"Facilities for Retailing, Retail Services, and Related Commercial Activities; Commercial Public Parking Facilities; Tenant Parking Facilities; Theatre Facilities; provided, however, that Theatre Facilities shall be required."

(v) On page 12, in line 19, of the Plan, strike out the word "Underground".

(w) On page 12, in line 25, of the Plan, strike out the numerals "250-300", and insert in lieu thereof the numerals "300-400".

(x) On page 12, in line 29, of the Plan, strike out the word "Underground".

(y) On page 13, in line 1, of the Plan, strike out the word "Underground".

(z) On page 13, in line 3, of the Plan, strike out the numeral "800", and insert in lieu thereof the numerals "500-800".

(aa) On page 13, immediately after line 3 of the Plan, insert the following new line:

"Theatre Facilities—approximately 1,500 seats"

(bb) On page 13 of the Plan, strike out lines 7 to 9, both inclusive, and insert in lieu thereof the following:

"1. Commercial Public Parking Facilities will be permitted beneath the surface of Development Areas No. 1, 2, 6, 9-10-11, 12, 14 and 15."

(cc) On page 13, in line 10, of the Plan, strike out the word "Underground".

(dd) On page 13, in line 12, of the Plan, immediately after the (.) insert the following:

"The Commercial Public Parking Facilities are to be below grade and enclosed within structures, so as to be shielded from public view and the elevation established as grade level, for each Development Area, shall be determined by the Agency."

(ee) On page 13, in lines 13 and 14, of the Plan, strike out the numerals "3, 4, 5, 7, 8, 9, 12, 13, 15 and 16", and insert in lieu thereof the numerals "3, 4, 5, 7, 9-10-11, 12, 13 and 16".

(ff) On page 13, in lines 14 and 15, of the Plan, strike out the word "Underground".

(gg) On page 13, in line 19, of the Plan, strike out the numerals "9" and "100", and insert in lieu

thereof the numerals "9-10-11" and "250", respectively.

(hh) On page 13, in line 20, of the Plan, strike out the numerals "100" and "200", and insert in lieu thereof the numerals "25" and "150", respectively.

(ii) On page 13, in line 21, of the Plan, strike out the numerals "70" and "250", and insert in lieu thereof the numerals "50" and "180".

(jj) On page 13, in line 22, of the Plan, strike out the numerals "15" and "130".

(kk) On page 13, in line 23, of the Plan, strike out the numerals "8" and "30", and in the same line strike out the numeral "190", and insert in lieu thereof the numeral "150".

(ll) On page 13 of the Plan, strike out lines 24 to 26, both inclusive, and insert in lieu thereof the following:

"The Tenant Parking Facilities are to be below grade and enclosed within structures, so as to be shielded from public view and the minimum and maximum size and the location of the said Facility in each Development Area shall be determined by the Agency. The elevation established as grade level, for each Development Area, shall be determined by the Agency."

(mm) On page 13, in line 28, of the Plan, strike out the numeral "10", and insert in lieu thereof the numerals "9-10-11".

(nn) On page 14 of the Plan, strike out lines 8 to 13, both inclusive, and insert in lieu thereof the following:

"Subject to the provisions of Sub-sections F, G, H and J, structures within any Development Area may be permitted to cover 100% of the area up to the height shown in column 3 of Exhibit "C", and that portion of structures in any Development Area above the height shown in column 3 of Exhibit "C"

may be permitted to cover that percentage of the Development Area shown in column 4 of Exhibit "C".

(oo) On page 14 of the Plan, strike out lines 18 to 20, both inclusive, and insert in lieu thereof the following:

"Servicing of all buildings shall be off-street except those constructed in Area No. 8, which shall be serviced from Wilkes Lane. Servicing of all buildings except those constructed in Area No. 4 shall be generally from below grade. Developers shall provide and maintain loading docks and service areas as required by the Agency. The elevation established as grade level, for each Development Area, shall be determined by the Agency."

(pp) On page 15, in line 2, of the Plan, strike out the letter "B", and insert in lieu thereof the letter "D".

(qq) On page 15 of the Plan, strike out lines 11 to 16, both inclusive, and insert in lieu thereof the following:

"In addition to those areas designated as "above surface commercial" and "above surface residential" in Exhibit "D", limited development rights of a nature determined by the Agency may be granted to developers for sub-surface, surface, or above surface improvements and/or structures encroaching on public rights-of-way, parks and Development Areas. Encroachments on public rights-of-way and parks shall be subject to the approval of the Board of Estimates as required by law."

(rr) On page 16 of the Plan, strike out lines 4 to 6, both inclusive, and insert in lieu thereof the following:

"No buildings shall be constructed in setback areas as determined by the Agency pursuant to sub-section I; provided, however, that the height and coverage limitations provided in Sub-section D and shown on Exhibit "C", shall not be exceeded."

(ss) On page 17, in line 21, of the Plan, strike out the word "schematic".

(tt) On page 17, in line 22, of the Plan, strike out the words "and tentative", and strike out the comma after the word "layouts".

(uu) On page 18, immediately after line 2 of the Plan, insert the following new lines:

"These nine exhibits are schematic and tentative and the Agency shall have the right, in its discretion, to fix the precise location and relocation of utilities and other sub-surface structures, in order to facilitate the most advantageous development of the project."

(vv) On page 18 of the Plan, strike out lines 19 and 20, and insert in lieu thereof the following:

"All structures above grade within that portion of the Project Area to be acquired will be demolished, except the existing steam plant of the Baltimore Gas and Electric Company, provided that said steam plant shall be enclosed within a new structure, refurbished, or otherwise receive appropriate treatment to insure that it will not violate project aesthetic consideration."

(ww) On page 18 of the Plan, strike out lines 22 to 26, both inclusive, and insert in lieu thereof the following:

"A. Land and property interests acquired by the City within the Project Area will be disposed of by sale, lease, conveyance, transfer or other means available to the City, in accordance with Exhibits "B" and "D", subject, however, to:

(1) such easements as may be reserved by the City pursuant to Section IV, Sub-section G;

(2) such development rights as may be granted by the City pursuant to Section IV, Sub-section H; and

(3) such setbacks as may be established pursuant to Section IV, Sub-section J."

(4) such surface public used on commercial land as are specified in Exhibit "D".

(xx) On page 18, in line 27, of the Plan, strike out the letter "D", and insert in lieu thereof the letter "B".

(yy) Eliminate Exhibits "A", "B", "C" and "D" which are presently attached to the Plan and insert in lieu thereof new Exhibits "A", "B", "C" and "D" which are attached hereto.

SEC. 2. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved June 26, 1962.

J. HAROLD GRADY, *Mayor*

No. 1302

(Council No. 1998)

An ordinance to amend the Renewal Plan for Renewal Area No. 12 (Mount Royal Plaza) which was approved by the Mayor and City Council of Baltimore by Ordinance No. 828, approved April 11, 1957, with regard to (1) the identification of certain properties not to be acquired as part of said plan; (2) the altering of land uses of certain properties which are included in said plan; (3) the revision of standards and controls applicable to certain properties which are included in said plan; (4) the elimination of disposition lot No. 8 which is presently identified in said plan; (5) the revision of Exhibits "B", "C", "D", "F", "G", "H", "I", "J", and "K" attached to said plan to indicate the amendment and changes included herein; (6) the opening and closing of certain streets which are included in said plan; (7) the realigning and/or widening of

certain streets which are included in said plan; (8) the creation of new disposition lots in said plan; (9) the granting to the Baltimore Urban Renewal and Housing Agency of permission to subdivide existing disposition lots which are included in said plan; (10) the granting to the Baltimore Urban Renewal and Housing Agency of permission to revise the precise boundaries and size of disposition lots which are included in said plan; and relating generally to amending, modifying and changing the Renewal Plan for Renewal Area No. 12.

WHEREAS, the Renewal Plan for Renewal Area No. 12 was approved by the Mayor and City Council of Baltimore by Ordinance No. 828, approved April 11, 1957; and

WHEREAS, no substantial change or changes may be made in the Renewal Plan for Renewal Area No. 12, after approval by Ordinance, unless such change or changes are first approved by the Planning Commission and approved and adopted by an Ordinance of the Mayor and City Council of Baltimore; and

WHEREAS, the Baltimore Urban Renewal and Housing Agency desires to amend generally the Renewal Plan for Renewal Area No. 12 with regard to (1) the identification of certain properties not to be acquired as part of said Plan; (2) the altering of land uses of certain properties which are included in said Plan; (3) the revision of standards and controls applicable to certain properties which are included in said Plan; (4) the elimination of disposition Lot No. 8 which is presently identified in said Plan; (5) the revision of Exhibits "B", "C", "D", "F", "G", "H", "I", "J" and "K" attached to said Plan to indicate the Amendment and changes included herein; (6) the opening and closing of certain streets which are included in said Plan; (7) the realigning and/or widening of certain streets which are included in said Plan; (8) the creation of new disposition lots in said Plan; (9) the granting

to the Baltimore Urban Renewal and Housing Agency of permission to subdivide existing disposition lots which are included in said Plan; (10) the granting to the Baltimore Urban Renewal and Housing Agency of permission to revise the precise boundaries and size of disposition lots which are included in said Plan; and

WHEREAS, the following amendments were approved by the Planning Commission of Baltimore on March 20, 1962, and approved, adopted and recommended to the City Council by the Commission of the Baltimore Urban Renewal and Housing Agency on May 21, 1962; now, therefore,

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the following amendments to the Renewal Plan for Renewal Area No. 12 (hereinafter referred to as the "Plan"), having been duly reviewed and considered, are hereby approved, and the Clerk of the City Council is hereby directed to file a copy of said amendments with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information.

(a) On page 5, in line 27, of the Plan, after the word "Plan" insert the following: "and those properties identified below".

(b) On page 5, immediately after line 39, of the Plan, insert the following new lines:

"Those properties which are not to be acquired under the provisions of this Plan are identified as follows:

Bureau of Surveys Block No.	Bureau of Surveys Lot. No.	St. Address	Owner (Of Record)
438	26	1123 No. Eutaw St.	Cecil Real Estate Corporation

438	20	307-11 Dolphin St.	Hampton Court Co.
438	23/24, 25	317-27 Dolphin St.	Eutaw Place Baptist Church

(c) On page 6, in line 4, of the Plan, after the words "November 1956", insert the words "January 15, 1962 and May 28, 1962".

(d) On page 6 of the Plan, strike out lines 6 to 8, both inclusive, and insert in lieu thereof the following:

"All land within the Project Area, other than land required for street rights-of-way, land for public use, and properties not to be acquired, will be conveyed or leased to private developers."

(d-1) On page 6, in line 10, of the Plan, after the words "Public (Recreational)", insert the words "Semi-Public (Religious Institutional)".

(e) On page 6 of the Plan, strike out line 16, and insert in lieu thereof the following:

"Lots Nos. 1, 2, 9C, 11, 12"

(f) On page 7 of the Plan, strike out line 1, and insert in lieu thereof the following:

"Lots Nos. 3, 13, 13A, 14G, 14L"

(g) On page 9 of the Plan, strike out lines 1 to 12, both inclusive, and insert in lieu thereof the following:

"Lot No. 9A

1. The use of the lot shall be Semi-Public (Religious Institutional) limited to parking and/or religious worship, fellowship, educational or recreational structures.

2. No building setbacks are required.

3. Not more than 70 percent of the lot shall be covered by buildings.

4. In the event a building or buildings are constructed on this lot, a minimum of two off-street parking spaces shall be provided.

5. In the event this lot is used for surface parking, such parking shall be appropriately screened by planting and/or planting and masonry screening walls along Dolphin Street.

6. Buildings constructed on this lot shall be limited in height to three stories or 35 feet, whichever is less, above the mean height of the curb of Dolphin Street.

7. No signs shall be permitted other than one sign identifying a building constructed on this lot provided the area of such sign shall not exceed six square feet.

“Lot No. 9D

1. The use of the lot shall be commercial limited to off-street surface parking, or to a parking garage limited in height to three stories above the mean height of the curb of Hoffman Street.

2. Minimum setbacks for a parking garage constructed on this lot shall be 15 feet from Eutaw Street, 10 feet from Hoffman Street, and 5 feet from Jordan Street. In addition, a side yard of 15 feet shall be provided between the structure and the northern property line of this lot.

3. No signs other than one identification sign facing Eutaw Street and one sign facing Hoffman Street shall be permitted on a parking garage constructed on this lot. Such signs shall be mounted flat against the structure and shall not project above the roof line. The area of each sign shall not exceed 20 square feet.

4. A minimum of 75% of the area not covered by a parking garage structure shall be landscaped.

5. In the event this lot is used for surface parking, the lot shall be landscaped at the rate of one (1) tree per every 2500 square feet of area of the

lot, and such parking shall be appropriately screened by planting and/or planting and masonry screening walls along Eutaw, Hoffman, and Jordan Streets.

6. In the event this lot is used for surface parking no sign other than one sign limited in area to 15 square feet shall be permitted advertising the lot for parking. The maximum height of such sign shall be limited to 10 feet above the mean height of the curb of Hoffman Street."

(h) On page 10 of the Plan, strike out lines 13 to 31, both inclusive, and insert in lieu thereof the following:

"Lots Nos. 14E and 14K

1. The use of the lots shall be residential limited to parking, landscaping and recreation facilities corollary to apartment use.

2. At least 25% of the area of each lot shall be used for landscaping.

"Lot No. 14H

1. The use of the lot shall be commercial limited to offices.

2. Not more than 50% of the lot shall be covered by buildings.

3. Not less than one off-street parking space shall be provided on the lot for each 750 square feet of gross floor area of the structure constructed on the lot.

4. Not less than 15 percent of the lot shall be used for landscaping."

(i) On page 11, in line 5, of the Plan, after the words "August 1956", insert the following: "revised January 15, 1962 and May 28, 1962".

(j) On page 11, immediately after line 45, of the Plan, insert the following new lines:

"8. Lot lines as shown on Exhibit B Project Area Plan dated August 8, 1956, revised November 1956,

January 15, 1962 and May 28, 1962, are schematic and approximate. The Baltimore Urban Renewal and Housing Agency shall have the right, in its discretion, to fix their precise boundaries and size. Lots shown on Exhibit B may be subdivided or combined."

9. Properties in the project area which are not to be acquired, shall be made subject to appropriate provisions of this Plan if owners of such properties acquire project land.

(k) On page 13, in line 2, of the Plan, after the words "November 1956", insert the following: "and January 15, 1962".

(l) On page 13, in line 8, of the Plan, after the words "November 1956", insert the following: "and January 15, 1962".

(m) On page 14, in line 3, of the Plan, after the words "November 1956", insert the following: "and January 15, 1962".

(n) On page 14, in line 9, of the Plan, after the words "November 1956", insert the following: "and January 15, 1962".

(o) On page 14, in line 15, of the Plan, after the words "November 1956", insert the following: "and January 15, 1962".

(p) On page 14, in line 20, of the Plan, after the words "November 1956", insert the following: "and January 15, 1962".

(q) On page 14, in line 25, of the Plan, after the words "July 1956", insert the following: "and revised January 15, 1962".

(r) On page 14, in line 30, of the Plan, after the words "July 1956", insert the following: "and revised January 15, 1962".

(s) Remove from the Plan Exhibit B, Project Area Plan, dated revised November 1956, and substitute therefore Exhibit B, dated revised May 28, 1962.

(t) Remove from the Plan Exhibits C, D, F, G, H, and I dated revised November 1956, and substitute therefore Exhibits C, D, F, G, H, and I dated revised January 15, 1962.

(u) Remove from the Plan Exhibits J and K dated July, 1956 and substitute therefore Exhibits J and K dated revised January 15, 1962.

SEC. 2. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved June 26, 1962.

J. HAROLD GRADY, *Mayor*

No. 1303

(Council No. 1891)

An ordinance to amend Sheet Nos. 24 and 25 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, by changing from the C-1 Height and Area District to the A-2 Height and Area District, the property on the north side of Rectory Lane, West from Roland Avenue, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet Nos. 24 and 25 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the C-1 Height and Area District to the A-2 Height and Area District, the property on the north side of Rectory Lane, west from Roland Avenue,

as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved June 28, 1962.

J. HAROLD GRADY, *Mayor*

No. 1304

(Council No. 2003)

An ordinance to amend Sheet No. 1 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the E-40 District to the F-40 District, extending the existing F-40 District southerly to include the area generally described as bounded on the north by Cross Country Boulevard, on the south by the rear of Park Heights Avenue, on the east by property lines southeast from Bancroft Road, and on the

west by Labyrinth Road and the junction of the existing F-40 District, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 1 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the E-40 District to the F-40 District, extending the existing F-40 District southerly to include the area generally described as bounded on the north by Cross Country Boulevard, on the south by the rear of Park Heights Avenue, on the east by property lines southeast from Bancroft Road, and on the west by Labyrinth Road and the junction of the existing F-40 District, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*

No. 1305

(Council No. 1179)

An ordinance to amend Sheet Nos. 48 and 49 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use, D Area, 40-ft. Height District to First Commercial Use, D Area, 40-ft. Height District, the property on the northeast side of Erdman Avenue, southeast from Federal Street, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That Sheet Nos. 48 and 49 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use, D Area, 40-ft. Height District to First Commercial Use, D Area, 40-ft. Height District, the property on the northeast side of Erdman Avenue, southeast from Federal Street, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. And be it further ordained, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*

No. 1306

(Council No. 1574)

An ordinance authorizing the acquisition by purchase or condemnation, by the Mayor and City Council of Baltimore, of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely for the opening, widening, grading, construction and maintenance of Hazelwood Avenue, varying in width from 69.0 feet to 49.08 feet, from Hamilton Avenue to the Eastern Boundary of Baltimore City established 1918; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Hazelwood Avenue; and authorizing the making of all necessary agreements concerning said Hazelwood Avenue; and authorizing the construction of said Hazelwood Avenue; the location and course of said Hazelwood Avenue being shown on a plat numbered 156-A-33A, prepared by the Bureau of Surveys and filed in the office of the Director of Public Works on the thirtieth (30th) day of October, 1961.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or condemnation for public highway purposes, namely for the opening, widening, grad-

ing, construction and maintenance of Hazelwood Avenue, varying in width from 69.0 feet to 49.08 feet, from Hamilton Avenue to the Eastern Boundary of Baltimore City established 1918, the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvement thereon, bounded as follows:

Beginning for the same at the point formed by the intersection of the northeast side of Hamilton Avenue, and the southeast side of Hazelwood Avenue, as now laid out, the coordinates of the said point of beginning, based upon the system adopted by the Baltimore Survey Control System, being East 21031.40 feet and North 15245.76 feet and running thence North $31^{\circ}-09'-08''$ West, binding on the northeast side of said Hamilton Avenue and crossing said Hazelwood Avenue, 77.22 feet to intersect the north side of said Hazelwood Avenue; thence binding on the north, northeast and northwest sides of said Hazelwood Avenue, the fifteen following courses and distances, namely, South $76^{\circ}-32'-20''$ East 44.27 feet, North $78^{\circ}-33'-40''$ East 42.50 feet, North $69^{\circ}-30'-40''$ East 44.23 feet, South $66^{\circ}-03'-03''$ East 26.46 feet, South $71^{\circ}-04'-10''$ East 32.98 feet, South $60^{\circ}-18'-30''$ East 109.00 feet, South $52^{\circ}-58'-36''$ East 156.74 feet, South $65^{\circ}-35'-10''$ East 23.16 feet, South $83^{\circ}-22'-21''$ East 63.86 feet, South $84^{\circ}-44'-50''$ East 43.35 feet, North $82^{\circ}-06'-04''$ East 51.01 feet, South $72^{\circ}-41'-56''$ East 55.61 feet, South $84^{\circ}-44'-50''$ East 58.45 feet, by a line curving to the left, with a 100.0 foot radius, the distance of 88.0 feet, which arc is subtended by a chord bearing North $70^{\circ}-02'-37''$ East 85.18 feet and North $44^{\circ}-50'-04''$ East 302.41 feet; thence binding on the northwest and north sides of said Hazelwood Avenue the seven following courses and distances, namely, firstly in part as now laid out and in part as proposed to be widened North $45^{\circ}-06'-00''$ East 808.67 feet, secondly in part as proposed to be widened and in part as proposed to be realigned by a line curving to the right, with a

365.0 foot radius, the distance of 205.53 feet, which arc is subtended by a chord bearing North $61^{\circ}-13'-53.5''$ East 202.82 feet, thirdly in part as now laid out and in part as proposed to be widened North $77^{\circ}-21'-47''$ East 507.19 feet; fourthly in part as proposed to be widened and in part as now laid out North $78^{\circ}-19'-12''$ East 345.53 feet, fifthly and sixthly as now laid out North $84^{\circ}-35'-10''$ East 23.45 feet and North $84^{\circ}-33'-50''$ East, crossing Cedonia Avenue, 80.02 feet and seventhly in part as now laid out and in part as proposed to be widened North $84^{\circ}-31'-50''$ East 652.40 feet to intersect the Eastern Boundary of Baltimore City established 1918; thence binding on said Eastern Boundary of Baltimore City due South 50.21 feet to intersect a line drawn parallel with and distant 50.0 feet southerly, measured at right angles from the twenty-third line of this description; thence reversing said line so drawn and binding thereon and on lines drawn parallel with and distant 50.0 feet, southerly, measured at right angles from the twenty-second and twenty-first lines respectively of this description the three following courses and distances, namely, South $84^{\circ}-31'-50''$ West 647.63 feet, South $84^{\circ}-33'-50''$ West 80.05 feet and South $84^{\circ}-35'-10''$ West 29.17 feet; thence binding on the south side of said Hazelwood Avenue, as proposed to be widened South $78^{\circ}-09'-45''$ West 333.87 feet, to intersect a line drawn parallel with and distant 50.0 feet southerly, measured at right angles from the nineteenth line of this description; thence reversing said line so drawn and binding thereon and along lines drawn parallel with and distant 50.0 feet southerly and southeasterly, measured at right angles and radially from the eighteenth, seventeenth, sixteenth, fifteenth and fourteenth lines respectively of this description, the six following courses and distances, namely, South $77^{\circ}-21'-47''$ West 506.88 feet, by a line curving to the left, with a 315.0 foot radius, the distance of 177.38 feet, which arc is subtended by a chord bearing South $61^{\circ}-13'-53.5''$ West 175.04 feet, South $45^{\circ}-06'-00''$ West 808.56 feet, South $44^{\circ}-50'-04''$ West 302.30 feet, by a line curving to the right,

with a 150.0 foot radius, the distance of 131.99 feet, which arc is subtended by a chord bearing South $70^{\circ}-02'-37''$ West 127.78 feet and North $84^{\circ}-44'-50''$ West 310.05 feet to intersect a line drawn parallel with and distant 60.0 feet southwesterly, measured at right angles from the eighth line of this description, produced southeasterly; thence reversing said line so produced and binding thereon and on a line drawn parallel with and distant 60.0 feet southwesterly, measured at right angles from the seventh line respectively, of this description the two following courses and distances, namely, North $52^{\circ}-58'-36''$ West 168.31 feet and North $60^{\circ}-18'-30''$ West 82.93 feet and thence binding on the south and southeast sides of said Hazelwood Avenue, as now laid out, the three following courses and distances, namely, by a line curving to the left, with a 141.25 foot radius, the distance of 101.40 feet, which arc is subtended by a chord bearing North $80^{\circ}-52'-25''$ West 99.23 feet, South $78^{\circ}-33'-40''$ West 25.70 feet and by a line curving to the left, with a 12.0 foot radius, the distance of 10.17 feet, which arc is subtended by a chord bearing South $54^{\circ}-17'-22''$ West 9.87 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Hazelwood Avenue, the location and course of said Hazelwood Avenue being shown on a plat thereof numbered 156-A-33A, prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the thirtieth (30th) day of October, 1961.

Any mention or reference to any streets, roads, avenues, highways or alleys in this ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads,

avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained,* That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Hazelwood Avenue. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said Hazelwood Avenue Project.

SEC. 3. *And be it further ordained,* That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained,* That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby author-

ized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said Hazelwood Avenue Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as herein before provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said Hazelwood Avenue Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*

No. 1307

(Council No. 1704)

An ordinance to waive applicable provisions in Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, in order to permit the construction and use of folding doors on a garage, extending not more than 4-1/2 feet over the sidewalk area on the premises known generally as 2142 East Oliver Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That all applicable provisions of Article 5 of the Baltimore City Code, (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, are waived in order to permit the construction and use of folding garage doors extending not more than 4-1/2 feet over the sidewalk area on the premises known generally as 2142 East Oliver Street. Except as in this ordinance specifically provided, all other ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and use of said folding garage doors.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*

No. 1308

(Council No. 1896)

An ordinance to condemn and close Windsor Avenue, 66 feet wide, from Warwick Avenue westerly 177.09 feet to the end thereof, in accordance with a plat thereof numbered 151-A-7D, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Windsor Avenue, 66 feet wide, from Warwick Avenue westerly 177.09 feet to the end thereof, in accordance with a plat

thereof numbered 151-A-7D, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office the land hereby directed to be condemned for said closing being described as follows:

Beginning for the same at the point formed by the intersection of the northwest side of Warwick Avenue, 66 feet wide, and the south side of Windsor Avenue, 66 feet wide, and running thence binding on the south side of said Windsor Avenue North $83^{\circ}-35'-00''$ West 154.99 feet to the end thereof and to the end of the fourth line of the parcel of land conveyed by Charles A. Knott et al to John L. Knott and wife by deed dated July 10, 1953, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 9213, folio 440; thence binding reversely on the fourth and third lines of said deed, the two following courses and distances, namely, North $02^{\circ}-38'-40''$ West 66.83 feet and South $83^{\circ}-35'-00''$ East, binding on the north side of said Windsor Avenue, 199.20 feet to intersect the northwest side of said Warwick Avenue and thence binding on the northwest side of said Warwick Avenue by a line curving to the right, with a 621.60 foot radius, the distance of 74.14 feet, which arc is subtended by a chord bearing South $33^{\circ}-27'-18.5''$ West 74.10 feet to the place of beginning, the said Windsor Avenue as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-seventh (27th) day of March in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway or highways shall have been closed under the provisions of this Ordinance, all sub-surface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until

the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Highways Engineer of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. *And be it further ordained,* That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting

through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Windsor Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*

No. 1309

(Council No. 1897)

An ordinance to condemn and open Certain Streets and Alleys lying within the area bounded by McCulloh Street, Wilson Street, Mason Street and McMechen Street in accordance with a plat thereof numbered 184-A-16, prepared by the Bureau of Surveys, and filed in the Office of the Department

of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open Certain Streets and Alleys lying within the area bounded by McCulloh Street, Wilson Street, Mason Street and McMechen Street, in accordance with a plat thereof numbered 184-A-16, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to eight on said plat and described as follows:

1. An Alley, 3 feet wide, 48.0 feet southwest of Tiffany Street and running northwesterly from the line of the southeast side of a 3 foot Alley, 41.0 feet southeast of Wilson Street, 14.67 feet to the end thereof and designated as No. 1 on said plat.

2. An Alley, 3 feet wide, 41.0 feet southeast of Wilson Street and running southwesterly from Tiffany Street 48.0 feet to a 3 foot Alley and designated as No. 2 on said plat.

3. Tiffany Street, varying in width from 15 feet to 25 feet, and running southeasterly from Wilson Street 266.57 feet to McMechen Street, as proposed 130 feet wide, and designated as No. 3 on said plat.

4. Madison Avenue, 66 feet wide, and running southeasterly from Wilson Street 266.01 feet to McMechen Street, as proposed 130 feet wide, and designated as No. 4 on said plat.

5. Morris Street, 20 feet wide, and running southeasterly from Wilson Street 266.01 feet to McMechen Street, as proposed 130 feet wide, and designated as No. 5 on said plat.

6. Linden Avenue, 66 feet wide, and running southeasterly from Wilson Street 266.0 feet to

McMechen Street, as proposed 130 feet wide, and designated as No. 6 on said plat.

7. An Alley, 10 feet wide, 105.0 feet northeast of Linden Avenue and running northwesterly from McMechen Street, as proposed 130 feet wide, 46 feet to the end thereof and designated as No. 7 on said plat.

8. An Alley, 10 feet wide, 100.0 feet northwest of McMechen Street and running southwesterly from Mason Street 35.0 feet to a 10 foot Alley and designated as No. 8 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-sixth (26th) day of March in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1310

(Council No. 1898)

An ordinance to condemn and close Certain Streets and Alleys lying within the area bounded by McCulloh Street, Wilson Street, Mason Street and McMechen Street in accordance with a plat thereof numbered 184-A-16A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments on the Twenty-seventh (27th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Certain Streets and Alleys lying within the area bounded by McCulloh Street, Wilson Street, Mason Street and McMechen Street, in accordance with a plat thereof numbered 184-A-16A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to eight on said plat and described as follows:

1. An Alley, 3 feet wide, 48.0 feet southwest of Tiffany Street and running northwesterly from the line of the southeast side of a 3 foot Alley, 41.0 feet southeast of Wilson Street, 14.67 feet to the end thereof and designated as No. 1 on said plat.

2. An Alley, 3 feet wide, 41.0 feet southeast of Wilson Street and running southwesterly from Tiffany Street 48.0 feet to a 3 foot Alley and designated as No. 2 on said plat.

3. Tiffany Street, varying in width from 15 feet to 25 feet, and running southeasterly from Wilson Street 266.57 feet to McMechen Street, as proposed 130 feet wide, and designated as No. 3 on said plat.

4. Madison Avenue, 66 feet wide, and running southeasterly from Wilson Street 266.01 feet to

McMechen Street, as proposed 130 feet wide, and designated as No. 4 on said plat.

5. Morris Street, 20 feet wide, and running southeasterly from Wilson Street 266.01 feet to McMechen Street, as proposed 130 feet wide, and designated as No. 5 on said plat.

6. Linden Avenue, 66 feet wide, and running southeasterly from Wilson Street 266.0 feet to McMechen Street, as proposed 130 feet wide, and designated as No. 6 on said plat.

7. An Alley, 10 feet wide, 105.0 feet northeast of Linden Avenue and running northwesterly from McMechen Street, as proposed 130 feet wide, 46 feet to the end thereof and designated as No. 7 on said plat.

8. An Alley, 10 feet wide, 100.0 feet northwest of McMechen Street and running southwesterly from Mason Street 35.0 feet to a 10 foot Alley and designated as No. 8 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-seventh (27th) day of March in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and

permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures", within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all

ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1311

(Council No. 1927)

An ordinance authorizing and directing the exchange by the Mayor and City Council of Baltimore and Joseph F. Hughes and Ethelyn Hughes, his wife, and Helen M. Hughes, unmarried, of certain parcels of ground in Baltimore City abutting both sides of Northern Parkway from the west side of McClean Boulevard to Mt. Pleasant Park in the vicinity of Perring Parkway. The property being exchanged by the city is no longer needed for public use.

WHEREAS, the Mayor and City Council of Baltimore requires the property herein described, owned by Joseph F. Hughes and Ethelyn Hughes, his wife, and Helen M. Hughes, unmarried, for the relocation and improvement of Northern Parkway; and

WHEREAS, the Mayor and City Council of Baltimore, is the owner in fee simple of the following parcels of ground situate in Baltimore City, described as follows:

Beginning for the first parcel thereof at the point formed by the intersection of the northeast side of Northern Parkway, as condemned and opened, 80 feet to 100 feet wide, under Ordinance No. 481,

approved July 9, 1928 and the first line of the parcel of land conveyed by David Paul Sindall, et al., to Joseph F. Hughes and Ethelyn A. Hughes, trading as Joseph F. Hughes and Company, by deed dated January 22, 1946 and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6858, Folio 489, said point being distant North 65 degrees 12 minutes 50 seconds West 133.61 feet from the northwest corner of Northern Parkway and McClean Boulevard and running thence South 01 degrees 17 minutes 53 seconds East, binding on part of the first line of said deed, 9.06 feet to intersect the north side of Northern Parkway, as proposed to be relocated, 80 feet to 100 feet wide; thence binding on the north side of said Northern Parkway, as proposed to be relocated, the four following courses and distances, namely, by a line curving to the left, with a 963.49 foot radius, the distance of 293.81 feet, which arc is subtended by a chord bearing North 81 degrees 24 minutes 12 seconds West 292.63 feet, by a line curving to the left, with a 3316.49 foot radius, the distance of 435.20 feet, which arc is subtended by a chord bearing South 86 degrees 06 minutes 04 seconds West 434.91 feet, South 82 degrees 20 minutes 30 seconds, West 132.84 feet and by a line curving to the right, with a 1900.00 feet radius, the distance of 225.28 feet, which arc is subtended by a chord bearing South 85 degrees 44 minutes 18 seconds West 225.14 feet to intersect the north side of said Northern Parkway, as condemned and opened under Ordinance No. 481, approved July 9, 1928 and thence binding on the north and northeast sides of said Northern Parkway, as condemned and opened, the four following courses and distances, namely, by a line curving to the left, with a 1112.46 foot radius, the distance of 71.13 feet, which arc is subtended by a chord bearing North 79 degrees 52 minutes 54 seconds East 71.12 feet, North 78 degrees 03 minutes 00 seconds East 36.32 feet, by a line curving to the right, with a 3344.99 foot radius, the distance of 689.51 feet, which arc is subtended

by a chord bearing North 83 degrees 57 minutes 19 seconds East 688.29 feet and by a line curving to the right, with a 685.97 foot radius, the distance of 298.42 feet, which arc is subtended by a chord bearing South 77 degrees 40 minutes 36 seconds East 296.07 feet to the place of beginning.

Containing 25,972.0 square feet of land, more or less.

Beginning for the second parcel thereof at a point on the south side of Northern Parkway, as condemned and opened, 100 feet wide, under Ordinance No. 481, approved July 9, 1928, distant 1226.77 feet, measured along the south side of said Northern Parkway from the southwest corner of Northern Parkway and McClean Boulevard, said point being formed by the intersection of the south side of said Northern Parkway and the south side of Northern Parkway, as proposed to be relocated, 100 feet wide, and running thence binding on the south side of said first mentioned Northern Parkway by a line curving to the right with a 1212.46 foot radius the distance of 394.19 feet, which arc is subtended by a chord bearing North 88 degrees 39 minutes 50 seconds West 392.46 feet; thence binding on the west side of Northern Parkway, as condemned and opened, North 10 degrees 39 minutes 00 seconds East 3.42 feet to intersect the south side of said Northern Parkway, as proposed to be relocated, thence binding on the south side of said Northern Parkway as proposed to be relocated the two following courses and distances, namely, South 87 degrees 39 minutes 30 seconds East 273.61 feet and by a line curving to the left with a 2000.0 foot radius the distance of 118.35 feet, which arc is subtended by a chord bearing South 89 degrees 21 minutes 13 seconds East 118.34 feet to the place of beginning.

Containing 4307 square feet of land.

Beginning for the third parcel thereof at the point formed by the intersection of the south side

of Northern Parkway, as condemned and opened 80 feet wide, under Ordinance No. 481, approved July 9, 1928, and the south side of Northern Parkway, as proposed to be relocated 80 feet wide, said point being distant 1643.59 feet westerly, measured along the south side of said Northern Parkway, as condemned and opened under the aforesaid Ordinance, from the southwest corner of Northern Parkway and McClean Boulevard and running thence binding on the south side of Northern Parkway as proposed to be relocated South 87 degrees 39 minutes 30 seconds East 24.84 feet; thence binding on the northwest side of said Northern Parkway, as proposed to be relocated, South 35 degrees 05 minutes 00 seconds West 4.71 feet to intersect the west outline of said Northern Parkway, as condemned and opened under the aforesaid Ordinance, and thence binding on the west and south sides of said Northern Parkway, as condemned and opened, the two following courses and distances, namely, North 10 degrees 39 minutes 00 seconds East 0.48 feet and by a line curving to the right with a 1202.46 foot radius, the distance of 22.63 feet, which arc is subtended by a chord bearing North 78 degrees 48 minutes 39 seconds West 22.63 feet to the place of beginning.

Containing 44 square feet of land.

Beginning for the fourth parcel thereof at the point formed by the intersection of the north side of Northern Parkway, as condemned and opened, 100 feet wide, under Ordinance No. 481, approved July 9, 1928 and the northwest side of Northern Parkway, as proposed to be relocated, 100 feet wide, said point being distant 1555.20 feet westerly, measured along the north side of said Northern Parkway, as condemned and opened under the aforesaid Ordinance, from the northwest corner of Northern Parkway and McClean Boulevard and running thence binding on the northwest side of said Northern Parkway, as proposed to be relocated, South 35 degrees 05 minutes 00 seconds

West 0.42 feet; thence binding on the north side of said last mentioned Northern Parkway North 87 degrees 39 minutes 30 seconds West 15.51 feet to intersect the west side of said Northern Parkway, as condemned and opened; thence binding on the west side of said Northern Parkway, as condemned and opened North 09 degrees 19 minutes 00 seconds East 2.15 feet to intersect the north side of said Northern Parkway as condemned and opened under the aforesaid Ordinance and thence binding on the north side of said Northern Parkway by a line curving to the left with a 1112.46 foot radius, the distance of 15.58 feet, which arc is subtended by a chord bearing South 81 degrees 05 minutes 04 seconds East 15.58 feet to the place of beginning.

Containing 19.0 square feet of land.

Beginning for the fifth parcel thereof at the point formed by the intersection of the northeast side of Northern Parkway, as condemned and opened, 100 feet wide, under Ordinance No. 439, approved July 13, 1925, and the first line of the parcel of land conveyed by David Paul Sindall, et al., to Joseph F. Hughes and Ethelyn A. Hughes, trading as Joseph F. Hughes and Company, by deed dated January 22, 1946 and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6858, Folio 489, said point being distant North 65 degrees 12 minutes 50 seconds West 133.61 feet from the northwest corner of said Northern Parkway and McClean Boulevard and running thence South 65 degrees 12 minutes 50 seconds East, binding on the northeast side of said Northern Parkway, 138.97 feet to intersect the northeast side of Northern Parkway, as proposed to be relocated, 80 feet to 100 feet wide; thence binding on the northeast side of said last mentioned Northern Parkway, as proposed to be relocated by a line curving to the left, with a 963.49 foot radius, the distance of 125.34 feet, which arc is subtended by a chord bearing North 68 degrees 56 minutes 26

seconds West 125.25 feet to intersect the first line of the aforesaid deed and thence North 01 degrees 17 minutes 53 seconds West, binding reversely on part of said line, 9.06 feet to the place of beginning.

Containing 354.0 square feet of land, more or less.

The above five parcels of ground comprising the portions of Northern Parkway condemned and closed under Ordinance No. 1523, approved June 25, 1958 and no longer needed for public use; and also, now particularly shown on Plat dated December 3, 1957, revised August 8, 1961, entitled, "City of Baltimore, Department of Public Works, Bureau of Surveys, Plat to accompany deed for the exchange of property between the Mayor and City Council of Baltimore and Joseph F. Hughes, et al., for the relocation of Northern Parkway from McClean Boulevard to Mt. Pleasant Park"—and Numbered 258-A-1C-1.

WHEREAS, Joseph F. Hughes and Ethelyn Hughes, his wife, t/a Joseph F. Hughes and Company, are the owners in fee simple to the following parcels of ground:

Beginning for Parcel A, at the point formed by the intersection of the southwest side of Northern Parkway as condemned and opened under Ordinance No. 481, approved July 9, 1928, varying in width from 80 feet to 100 feet, and the first line of the parcel of land conveyed by David Paul Sindall, et al., to Joseph F. Hughes and Ethelyn A. Hughes, trading as Joseph F. Hughes and Company by deed dated January 22, 1946 and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6858, Folio 489, said point being distant North 65 degrees 12 minutes 50 seconds West 133.61 feet from the southwest corner of Northern Parkway and McClean Boulevard and running thence South 01 degrees 17 minutes 53 seconds East, binding on part of the first line of the aforesaid deed, 3.96 feet to intersect the south side of Northern Parkway, as proposed to be re-

located, 80 feet to 100 feet wide; thence binding on the south side of said Northern Parkway, as proposed to be relocated, the four following courses and distances, namely, by a line curving to the left, with a 863.49 foot radius, the distance of 297.27 feet which arc is subtended by a chord bearing North 80 degrees 16 minutes 37.5 seconds West 295.80 feet, by a line curving to the left, with a 3216.49 foot radius, the distance of 422.08 feet which arc is subtended by a chord bearing South 86 degrees 06 minutes 04 seconds West 421.80 feet, South 82 degrees 20 minutes 30 seconds West 132.84 feet and by a line curving to the right, with a 2000.0 foot radius, the distance of 230.71 feet which arc is subtended by a chord bearing South 85 degrees 38 minutes 47 seconds West 230.59 feet to intersect the south side of said Northern Parkway, as condemned and opened under Ordinance No. 481, approved July 9, 1928 and thence binding on the South and Southwest sides of said Northern Parkway, as condemned and opened, the five following courses and distances, namely, by a line curving to the left, with a 1212.46 foot radius, the distance of 84.06 feet, which arc is subtended by a chord bearing North 80 degrees 02 minutes 10 seconds East 84.04 feet, North 78 degrees 03 minutes 00 seconds East 36.32 feet, by a line curving to the right, with a 3244.99 foot radius, the distance of 668.90 feet which arc is subtended by a chord bearing North 83 degrees 57 minutes 19 seconds East 667.72 feet, by a line curving to the right, with a 585.97 foot radius, the distance of 254.92 feet which arc is subtended by a chord bearing South 77 degrees 40 minutes 36 seconds East 252.92 feet and South 65 degrees 12 minutes 50 seconds East 48.96 feet to the place of beginning.

Containing 24,994.0 square feet of land, more or less.

Beginning for Parcel B at a point on the north side of Northern Parkway, as condemned and opened, varying in width from 80 feet to 100 feet,

under Ordinance No. 481, approved July 9, 1928 distant 1228.99 feet Westerly, measured along the north side of said Northern Parkway from the northwest corner of said Northern Parkway and McClean Boulevard, said point being formed by the intersection of the north side of said Northern Parkway and the north side of Northern Parkway, as proposed to be relocated, 80 feet to 100 feet wide, and running thence binding on the north side of said Northern Parkway, as condemned and opened under Ordinance No. 481, approved July 9, 1928, by a line curving to the right, with a 1112.46 foot, radius, the distance of 326.21 feet, which arc is subtended by a chord bearing North 89 degrees 53 minutes 10 seconds West 325.04 feet to intersect the northwest side of Northern Parkway, as proposed to be relocated, 80 feet to 100 feet wide; thence binding on the northwest side of said last mentioned Northern Parkway North 35 degrees 05 minutes 00 seconds East 11.46 feet to intersect the north side of said last mentioned Northern Parkway as proposed to be relocated; thence binding on the north side of said Northern Parkway the two following courses and distances, namely South 87 degrees 39 minutes 30 seconds East 212.31 feet and by a line curving to the left, with a 1900.00 foot radius, the distance of 106.34 feet, which arc is subtended by a chord bearing South 89 degrees 15 minutes 42 seconds East 106.32 feet to the place of beginning.

Containing 3,745 square feet of land.

Beginning for Parcel C at a point on the northeast side of Northern Parkway, as condemned and opened, varying in width from 80 feet to 100 feet, under Ordinance No. 481, approved July 9, 1928, distant about 1624.45 feet, westerly and northwesterly, measured along the north and northeast sides of said Northern Parkway from the northwest corner of said Northern Parkway and McClean Boulevard, said point being formed by the intersection of the northeast side of said Northern Parkway and the north side of Northern Parkway,

as proposed to be relocated 80 feet to 100 feet wide and running thence binding on the north side of said Northern Parkway, as proposed to be relocated, South 87 degrees 39 minutes 30 seconds East 54.05 feet to intersect the west side of said Northern Parkway as condemned and opened under the aforesaid Ordinance; thence binding on the west and northeast side of said Northern Parkway, as condemned and opened, the two following courses and distances, namely, South 09 degrees 19 minutes 00 seconds West 7.85 feet and by a line curving to the right, with a 1122.46 foot radius, the distance of 53.67 feet, which arc is subtended by a chord bearing North 79 degrees 18 minutes 49 seconds West 53.66 feet to the place of beginning.

Containing 225 square feet of land.

Beginning for Parcel D at a point on the North 10 degrees 39 minutes 00 seconds East 10.00 foot line on Northern Parkway, as condemned and opened under Ordinance No. 481, approved July 9, 1928, said point being distant North 10 degrees 39 minutes 00 seconds East 3.42 feet from the beginning of said line and the beginning of said line being distant 1620.96 feet westerly, measured along the south side of said Northern Parkway from the Southwest corner of said Northern Parkway and McClean Boulevard, said point being formed by the intersection of said North 10 degrees 39 minutes 00 seconds East 10.00 foot line and the south side of Northern Parkway, as proposed to be relocated and running thence binding on the south side of said Northern Parkway, as proposed to be relocated the two following courses and distances, namely, North 87 degrees 39 minutes 30 seconds West 3.00 feet and North 35 degrees 05 minutes 00 seconds East 7.17 feet to intersect the North 10 degrees 39 minutes 00 seconds East 10.00 foot line of Northern Parkway, as condemned and opened under the aforesaid Ordinance and thence binding on part of said line South 10 degrees 39 minutes 00 seconds West 6.10 feet to the place of beginning.

Containing 9.0 square feet of land, more or less.

Beginning for Parcel E at a point on the southwest side of Northern Parkway as condemned and opened, varying in width from 80 feet to 100 feet, under Ordinance No. 481, approved July 9, 1928, distant about 1643.59 feet, westerly and north-westerly, measured along the south and southwest sides of said Northern Parkway from the southwest corner of said Northern Parkway and McClean Boulevard, said point being formed by the intersection of the southwest side of said Northern Parkway and the south side of Northern Parkway as proposed to be relocated and running thence binding on the south side of said Northern Parkway, as proposed to be relocated, North 87 degrees 39 minutes 30 seconds West 382.77 feet to intersect the North 57 degrees 16 minutes 00 seconds East 231.00 foot line of the parcel of land conveyed by David Paul Sindall, unmarried, et al., to Joseph F. Hughes and wife, by deed dated January 22, 1946 and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6858, Folio 489; thence binding on part of the North 57 degrees 16 minutes 00 seconds East 231.00 foot line and on part of the North 27 degrees 16 minutes 00 seconds East 280.50 foot line of said deed the two following courses and distances, namely, North 57 degrees 16 minutes 00 seconds East 127.05 feet and North 27 degrees 16 minutes 00 seconds East 2.32 feet to intersect the southwest side of said Northern Parkway as condemned and opened under the aforesaid Ordinance and thence binding on the southwest side of said Northern Parkway the two following courses and distances, namely, South 70 degrees 06 minutes 00 seconds East 116.62 feet and by a line curving to the left, with a 1202.46 foot radius, the distance of 171.50 feet, which arc is subtended by a chord bearing South 74 degrees 11 minutes 09 seconds East 171.35 feet to the place of beginning.

Containing 13,238 square feet of land.

The herein described parcels A to E inclusive are more particularly shown on Survey Plat dated December 3, 1957—No. 258-A-1C-1 filed among the records of the Bureau of Surveys of Baltimore City.

WHEREAS, Helen M. Hughes, unmarried, is the owner in fee simple of the following parcel of ground:

Beginning for Parcel F at the point formed by the intersection of the southwest side of Northern Parkway, as condemned and opened under Ordinance No. 439, approved July 13, 1925, 100 feet wide, and the first line of the parcel of land conveyed by David Paul Sindall, et al., to Joseph F. Hughes and Ethelyn A. Hughes, trading as Joseph F. Hughes and Company, by deed dated January 22, 1946, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6858, Folio 489, said point being distant North 65 degrees 12 minutes 50 seconds West 133.61 feet from the southwest corner of said Northern Parkway and McClean Boulevard and running thence South 65 degrees 12 minutes 50 seconds East, binding on the southwest side of said Northern Parkway, 80.01 feet to intersect the southwest side of Northern Parkway as proposed to be relocated, 80 feet to 100 feet wide; thence binding on the southwest side of said Northern Parkway, as proposed to be relocated, by a line curving to the left, with a 863.49 foot radius, the distance of 78.38 feet, which arc is subtended by a chord bearing North 67 degrees 48 minutes 51.5 seconds West 78.35 feet to intersect the first line of the aforesaid deed and thence North 01 degrees 17 minutes 53 seconds West, binding reversely on part of the first line of said deed, 3.96 feet to the place of beginning.

Containing 94.0 square feet of land, more or less. As shown on plat dated December 3, 1951 and numbered 258-A-1C-1.

WHEREAS, Agreements dated May 7, 1958 and November 3, 1961, were entered into for the exchange of the above described properties.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor of Baltimore City, be and he is hereby authorized and directed to:

(1) For and in name of the Mayor and City Council of Baltimore, to execute and deliver to the said Joseph F. Hughes and Ethelyn Hughes, his wife, by good and sufficient deed conveying to them all of the interest of the Mayor and City Council of Baltimore, in and to the land situate in Baltimore City, State of Maryland, and firstly, secondly, thirdly and fourthly described herein and stated in this Ordinance to be owned by the Mayor and City Council of Baltimore.

(2) For and in the name of the Mayor and City Council of Baltimore, to execute and deliver to the said Helen M. Hughes, unmarried, by good and sufficient deed conveying to her all of the interest of the Mayor and City Council of Baltimore, in and to the land situate in Baltimore City and State of Maryland, and fifthly described herein and stated in this Ordinance to be owned by the Mayor and City Council of Baltimore.

(3) For and on behalf of the Mayor and City Council of Baltimore to accept from the said Joseph F. Hughes and Ethelyn Hughes, his wife, in exchange for the deed to be delivered to them, a deed conveying to the Mayor and City Council of Baltimore in fee simple, the five properties herein lastly referred to in this Ordinance and designated as Properties A, B, C, D and E; and for and on behalf of the Mayor and City Council of Baltimore, to accept from the said Helen M. Hughes, unmarried, in exchange for the deed to be delivered to her, a deed conveying to the Mayor and City Council of Baltimore, in fee simple, the property herein lastly referred to in this Ordinance and designated as Property F.

The deeds to be executed in respect to the properties to be exchanged shall expressly reserve in and/or grant to, as the case may be, the Mayor

and City Council of Baltimore City the following slope easement reservations:

Together with the right to create, use and maintain on the land abutting on Northern Parkway slope rights, such slope rights being for the construction and maintenance of slopes with a ratio 3:1 as are necessary to retain the highway and/or adjacent property.

And, it is further understood and agreed that at such time as the contour of the said property abutting on Northern Parkway over which the slope easement is granted is changed so that the easement required for slopes is no longer necessary to support or protect the proposed relocation of Northern Parkway, then said easement for slopes shall cease to be effective.

The properties hereby being exchanged by the Mayor and City Council of Baltimore being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith unless the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1312

(Council No. 1928)

An ordinance authorizing the Mayor and City Council of Baltimore to surrender and release to the owner or owners of the land located within the portion of the right-of-way located west of Laurelton Avenue and south of Perring Manor Road and the right-of-way extending westerly

and northerly from Laurelton Avenue north of Northern Parkway heretofore granted to it for municipal utility purposes. The portion of said right-of-way and the right-of-way being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore be and it is hereby authorized to execute and deliver to the owner or owners of the land within the portion of the right-of-way hereinafter firstly described, and in the right-of-way hereinafter secondly described a Deed of Surrender and Release of all of its right, title and interest in and to said portion of the right-of-way and the right-of-way situate in Baltimore City, Maryland, and described as follows:

The first thereof comprising a portion of a 10-foot right-of-way, beginning at the end of the South 89 degrees 16 minutes West 959.10 feet center line of said 10-foot right-of-way and extending therefrom as to the center line thereof the two following courses and distances South 4 degrees 13 minutes 10 seconds West 262.61 feet and South 18 degrees 3 minutes 10 seconds West 433 feet, as shown on Survey Plat, dated May 14, 1954, numbered R.W. 20-34449, attached thereto and made a part of an Agreement, granting said right-of-way from Henry Kratz, et al. to the Mayor and City Council of Baltimore, dated June 21, 1954, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 9519, folio 124.

The second thereof comprising a right-of-way, 15 feet wide, and extending westerly and northerly from Laurelton Avenue north Northern Parkway and being designated as Parcel 2 on Survey Plat, dated December 16, 1960, numbered R.W. 30-35001, attached to and made a part of an agreement, dated January 9, 1961, between Robert E. Meyerhoff, et al. to the Mayor and City Council of Baltimore, and recorded among the said Land Records in Liber

J.F.C. No. 1052, folio 266, granting said right-of-way to the Mayor and City Council of Baltimore.

No utilities have been constructed in the right-of-way herein described to be surrendered and released.

Said portion of the described right-of-way and the said right-of-way being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1313

(Council No. 1930)

An ordinance to add a new Section 41A to Article 24 of the Baltimore City Code (1950 Edition), title "Police", to follow immediately after Section 41 thereof and to be under the new sub-title "One-Family Homes", imposing requirements for advertising and posting the sale or lease of a habitation designated as a "one-family home" under the Zoning Ordinance of Baltimore City.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 41A be and it is hereby added to Article 24 of the Baltimore City Code (1950 Edition), title "Police", to follow immediately after Section 41 thereof, and to be under the new sub-title "One-Family Homes", and to read as follows:

One-Family Homes

41A. Every person, firm or corporation which offers for sale or lease through any advertising medium a habitation which is designated as a "one-family home", meaning that its use and occupancy are restricted to one family, under the Zoning Ordinance of Baltimore City (Article 40 of the Baltimore City Code), shall clearly include and state in the advertisement a statement to that effect. Failure to comply with the provisions of this Section is a misdemeanor subject upon conviction to a fine not exceeding fifty dollars (\$50) for each offense.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1314

(Council No. 1968)

An ordinance granting permission to Becker Pretzel Bakeries, Inc., for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the south side of Booth Street, west of Catherine Street, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission be and the

same is hereby granted to Becker Pretzel Bakeries, Inc., for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the south side of Booth Street, west of Catherine Street, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SEC. 2. *And be it further ordained*, That the said parking area shall be maintained with a hard or semi-hard dustless surface on which motor vehicles are to be parked. No repair facilities and no sale of gasoline or inflammable liquids shall be permitted thereon and no commercial activities of any kind shall be conducted thereon. The entrances and exits on said area shall be at such location or locations as shall be approved by the Commissioner of Transit and Traffic. The illumination of said parking area, if any, shall be by lights dimmed or focused so as to prevent them from being an annoyance to nearby residents. The location and type of such lights, if any, shall be subject to the approval of the Building Inspection Engineer. All construction work and installations shall be done in accordance with the laws and ordinances applicable in Baltimore City.

SEC. 3. *And be it further ordained*, that this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1315

(Council No. 1969)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance

with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the following parcels of land situate in Baltimore City, shown on City tax plats in the blocks noted: 1059 W. Fayette Street, comprising lot 31, Block 200-01; the parcel situate on the south side of Walther Boulevard, known as lot 6, parcels situate on the north and south sides of Walther Boulevard, known as lots 7 and 8, all in block 5761; 1821 Dover Street, comprising lot 87, block 260; parcel situate south side of Northern Parkway, comprising lots 19 and 21, block 4464; and parcel situate on the east side of Kane Street, comprising lot 18, block 6750-D. Said properties being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to all those parcels of land situate in Baltimore City, and described as follows:

1059 W. Fayette Street, comprising Lot 31, Block 200-01; Parcel situate on the south side of Walther Boulevard, known as Lot 6, and parcels situate on the north and south sides of Walther Boulevard, known as Lots 7 and 8, all in Block 5761; 1821 Dover Street, comprising Lot 87, Block 260; Parcel situate south side of Northern Parkway, comprising Lots 19 and 21, Block 4464; Parcel situate on the east side of Kane Street, comprising Lot 18, Block 6750-D.

Said properties being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the

same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1316

(Council No. 1980)

An ordinance disclaiming any public use in and abandoning the dedication, if any, of that area of ground 20 feet wide with a length of 49.43 feet in Baltimore City distant 100 feet north of North Avenue and distant 368.89 feet westerly from the southwest side of Druid Hill Avenue.

WHEREAS, The City Solicitor of Baltimore City has ruled that the fee simple title to that area of ground 20 feet wide, situate on the south side of a former 20-foot wide alley, distant 368.89 feet west from the southwest side of Druid Hill Avenue, extending westerly along the south side of said former 20-foot alley 49.33 feet, with an even rectangular depth northerly of 20 feet to the north side of said former 20-foot wide alley, said area sometimes referred to as a part of a 20-foot alley, is in private ownership, that no dedication of any part of said area has ever been accepted by said municipality, nor has said area, or any part thereof been used for public highway purposes; and

WHEREAS, In the opinion of the Department of Public Works, an acceptance of a dedication of the said area as a public highway would serve no public purpose and would burden the municipality with the needless expense of maintaining said area as a public highway; and

WHEREAS, It is deemed desirable to definitely establish by municipal ordinance the status of the said area.

Therefore:

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a dedication of said area, if any there be, is hereby refused or surrendered, and that a use, if any there be, is hereby refused or surrendered, and that a use, if any there be in said area as a public highway, is hereby abandoned and surrendered and the said area of ground is hereby declared to be private property, not subject to any public use whatsoever.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1317

(Council No. 1981)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the triangular parcel of land situate at the intersection of the south side of Venable Avenue and the west side of Frisby Street, fronting on Venable Avenue 139.48 feet, with an irregular depth southerly of 39.42 feet, more or less. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance

with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore City, and described as follows:

Beginning for the same at the corner formed by the intersection of the south side of Venable Avenue and the west side of Frisby Street, running thence southerly along the west side of Frisby Street 39.42 feet, thence due West 135 feet to the east side of a 15-foot alley, thence northerly along said alley 6.41 feet to the southerly side of Venable Avenue and thence along Venable Avenue easterly 139.48 feet to the place of beginning.

Reserving to the Mayor and City Council of Baltimore, its successors and assigns, out of the above-described parcel an easement for the construction and maintenance of municipal utilities within the following part thereof:

Beginning for the same at the corner formed by the intersection of the southerly side of Venable Avenue and the westerly side of Frisby Street, running thence along the southerly side of Venable Avenue South 72 degrees 6 minutes 40 seconds West 51.18 feet to a point, thence South 88 degrees 22 minutes 2 seconds East 48.72 feet to the west side of Frisby Street, thence along the west side of Frisby Street due North 17.11 feet to the place of beginning.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1318

(Council No. 1996)

An ordinance to add a new Section 652 to Article 5 of the Baltimore City Code (1950 Edition, as amended), title "Building Regulations", said Article being known generally as the Building Code of Baltimore City, said new section to be within Chapter 65 thereof; and to repeal Paragraph 6355 of said Article 5 which paragraph is within Section 635 thereof; adding to the Building Code of Baltimore City new provisions concerning the requirements and design for structural reinforced ultra-lightweight concrete, eliminating from the Building Code certain provisions concerning thickness of material, and relating generally to the provisions of the Building Code of Baltimore City as to structural reinforced ultra-lightweight concrete and the provisions concerning the thickness of material used in certain building operations.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Paragraph 6355 of Article 5, which paragraph is within Section 635 thereof, of the Baltimore City Code (1950 Edition as amended) said Article being known generally as the Building Code of Baltimore City, be and it is hereby repealed.*

SEC. 2. *And be it further ordained, That a new Section 652 be and it is hereby added to said Article 5, said new section to be within Chapter 65 thereof, and to read as follows:*

SECTION 652.

REQUIREMENTS AND DESIGN FOR
STRUCTURAL REINFORCED ULTRA-
LIGHTWEIGHT CONCRETE

6520. **Definition.**

A portland cement concrete having lightweight aggregates such as perlite, vermiculite, expanded

shale, expanded slag, etc., developing a 28-day compressive strength of not less than 300 pounds per square inch and having an oven dry density of not less than 30 pounds per cubic foot.

The requirements of Section 652 shall not apply to concrete used for such purposes as fireproofing and fill, or to concrete construction the use of which is based upon load tests and not conventional design procedures.

6521. Scope.

This concrete shall be limited in use to weather-protected wall panels, floor and roof slabs. The range of densities shall be limited between 30 and 90 pounds per cubic foot and compressive strengths shall be between 300 and 2,000 pounds per square inch.

6522. Design.

This concrete shall be designed by rational analysis methods according to established principles as set forth in the provisions of the "Building Code Requirements for Reinforced Concrete" (AC 1 318-56).

6523. Water.

Since the lightweight aggregate has an indeterminate amount of surface area, the manufacturer of the aggregate shall file with the Commissioner such tests and data by an independent testing laboratory, or an approved agency, setting forth mix designs, compressive strength and stress-strain curves, as may be required by the Commissioner as a guide for design purposes.

6524. Tests.

(a) **Compressive Strength.** Compressive strength tests shall be made as described in Section 669, as applicable to fine aggregate concrete.

(b) **Air Content.** Air content shall not be more than 20% of the volume of the freshly mixed con-

crete as determined by ASTM C 173-58 volumetric method, as applicable to the aggregate used.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1319

(Council No. 1999)

An ordinance authorizing the Mayor and City Council of Baltimore to grant and convey to the United States of America, upon such conditions and terms as approved by the Board of Estimates of Baltimore City, all that parcel of land situate in Baltimore City, comprising a part of the City Hospitals land on Eastern Avenue, containing 4.945 acres of land, more or less, for a research center and the construction thereon of a Gerontology Building.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore be and it is hereby authorized to grant and convey to the United States of America, upon such conditions and terms as approved by the Board of Estimates of Baltimore City, all that parcel of land situate in Baltimore City, comprising a part of the City Hospitals land on Eastern Avenue, containing 4.945 acres of land, more or less, for a Research Center and the construction of a Gerontology Building, and described as follows:

BEGINNING for the same at a point on a line drawn parallel with and distant 32.27 feet easterly, measured at right angles from the east face of the

east wall of the main central portion of the Research Building, situate on the Baltimore City Hospitals property said point distant 117.24 feet southerly from the intersection formed by said line so drawn and a line drawn along the face of the southernmost wall of the central portion of said Research Building and produced easterly, said beginning point being also distant North 02 degrees 59 minutes 23 seconds West 1333.52 feet from a point on the north side of Eastern Avenue and said last mentioned point being distant South 88 degrees 05 minutes 24 seconds West 358.63 feet, measured along the north side of Eastern Avenue from the northwest corner of said Eastern Avenue and Angelsea Street, the coordinates of said point of beginning, based upon the coordinate system as adopted by the Baltimore Survey Control System being East 19095.86 feet and South 2316.04 feet and running thence from said point of beginning North 02 degrees 59 minutes 23 seconds West, binding on said line drawn parallel with the east face of the east wall of the main central portion of the Research Building and passing tangent to the northeast corner of the easternmost wall of said Research Building, in all, 350.00 feet; thence South 87 degrees 00 minutes 37 seconds West 145.07 feet; thence North 02 degrees 59 minutes 23 seconds West 43.50 feet; thence South 87 degrees 00 minutes 37 seconds West 55.00 feet; thence North 02 degrees 59 minutes 23 seconds West 258.52 feet; thence North 87 degrees 00 minutes 37 seconds East, passing tangent to the southeast corner of a frame shed situate on the said Baltimore City Hospitals property, and continuing the same course, in all, 441.43 feet; thence South 02 degrees 59 minutes 23 seconds East, passing tangent to the southwest corner of the Laboratory Building, also situate on the said Baltimore City Hospitals property, and continuing the same course, in all, 652.02 feet and thence South 87 degrees 00 minutes 37 seconds West 241.37 feet to the place of beginning.

CONTAINING 4.945 acres of land, more or less.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1320

(Council No. 2005)

An ordinance to comply with the provisions of Paragraph 1400 of Article 5 of the Baltimore City Code (1950 Edition as amended), said Article being known generally as the Building Code of Baltimore City, in order to permit the use of an underground garage on the premises known generally as 2850 North Charles Street for the storage of more than three motor vehicles.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the provisions of Paragraph 1400 of Article 5 of the Baltimore City Code (1950 Edition as amended), said Article being known generally as the Building Code of Baltimore City, are complied with in order to permit the use of an underground garage on the premises known generally as 2850 North Charles Street for the storage of more than three motor vehicles. Except as in this ordinance specifically provided, all ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the use of these premises.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1321

(Council No. 2006)

An ordinance granting permission to L. Epstein for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the west side of William Street, 51 feet 6 inches south of Cross Street, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission be and the same is hereby granted to L. Epstein, for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the west side of William Street, 51 feet 6 inches south of Cross Street, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SEC. 2. *And be it further ordained*, That the said parking area shall be maintained with a hard or semi-hard dustless surface on which motor vehicles are to be parked. No repair facilities and no sale of gasoline or inflammable liquids shall be permitted thereon and no commercial activities of any kind shall be conducted thereon. The entrances and exits on said area shall be at such location or locations as shall be approved by the Commissioner of Transit and Traffic. The illumination of said parking area, if any, shall be by lights dimmed or focused so as to prevent them from being an annoyance to nearby residents. The location and type of such lights, if any, shall be subject to the approval of the Building Inspection Engineer. All construction work and in-

stallations shall be done in accordance with the laws and ordinances applicable in Baltimore City.

SEC. 3. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1322

(Council No. 2025)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore County in the vicinity of the Gunpowder Falls-Montebello Tunnel, containing 9.768 acres of land, more or less, subject to certain reservations. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore County, and described as follows:*

BEGINNING for the same at the beginning of the firstly described parcel of land conveyed by James H. Coleman and wife to the Mayor and City Council of Baltimore by deed, dated September 28, 1936, and recorded among the Land Records of Baltimore County in Liber C. W. B. Jr. No. 977, folio 576, and

running thence, binding on the first line of the first parcel of said deed, as now surveyed, South 02 degrees 05 minutes 38 seconds East 430.50 feet; thence North 83 degrees 08 minutes 05 seconds West, binding on the second line of the first parcel and continuing the same course, binding on the fourth line of the second parcel of said deed, in all, 887.94 feet; thence binding on the fifth, first and second lines of the second parcel of said deed, the two following courses and distances, namely, North 25 degrees 18 minutes 52 seconds West 506.77 feet and South 82 degrees 31 minutes 20 seconds East 70.16 feet to intersect the third line of the first parcel of said deed and thence binding on part of the third and the fourth lines of the first parcel of said deed, the two following courses and distances, namely, North 25 degrees 15 minutes 37 seconds West 8.25 feet and South 82 degrees 34 minutes 50 seconds East 1024.30 feet to the place of beginning.

CONTAINING 9.768 acres of land, more or less.

Saving and excepting out of said above described tract of land the portion thereof situated on the center line of the Gunpowder Falls-Montebello Tunnel, known as the Miller Avenue Shaft, and described as follows:

BEGINNING for the same at a point in the center line of the Gunpowder Falls-Montebello Tunnel at the distance of South 24 degrees 43 minutes 18 seconds West 120.0 feet from the point formed by the intersection of the center line of said Gunpowder Falls-Montebello Tunnel and the fourth line of the firstly described parcel of land conveyed by James H. Coleman and wife to the Mayor and City Council of Baltimore by deed, dated September 28, 1936, and recorded among the Land Records of Baltimore County in Liber C. W. B. Jr. No. 977, folio 576, said last mentioned point being distant North 82 degrees 34 minutes 50 seconds West 294.65 feet from the point formed by the intersection of the fourth line of the first parcel of said deed and the west side of Hoerner Avenue, 60 feet wide, and running thence

North 65 degrees 16 minutes 42 seconds West, at right angles to the center line of said Tunnel, 20.0 feet; thence South 24 degrees 43 minutes 18 seconds West, parallel to the center line of said Tunnel, 40.0 feet; thence South 65 degrees 16 minutes 42 seconds East 40.0 feet; thence North 24 degrees 43 minutes 18 seconds East 40.0 feet and thence North 65 degrees 16 minutes 42 seconds West 20.0 feet to the place of beginning.

CONTAINING 1600.0 square feet of land, more or less.

AND ALSO EXCEPTING out of the above tract herein firstly described, the following Right-of-way:

BEGINNING for the same at a point on the northwest side of Putty Hill Road, 70 feet wide, at the distance of 238.04 feet, southwesterly measured along the northwest side of said Putty Hill Road from the point formed by the intersection of the northwest side of said Putty Hill Road and the northwest side of Hoerner Avenue, 60 feet wide, and running thence by a line curving to the right, with a 10.0 foot radius, the distance of 15.46 feet, which arc is subtended by a chord bearing North 86 degrees 34 minutes 37 seconds West 13.97 feet; thence North 42 degrees 16 minutes 42 seconds West 201.20 feet to intersect the southeast side of the Miller Avenue Shaft of the Gunpowder Falls-Montebello Tunnel; thence binding on the southeast side of said Miller Avenue Shaft South 24 degrees 43 minutes 18 seconds West 21.72 feet to intersect a line drawn parallel with and distant 20.0 feet southwesterly, measured at right angles from the second line of this description; thence reversing said line so drawn and binding thereon South 42 degrees 16 minutes 42 seconds East 192.68 feet; thence by a line curving to the right, with a 10.0 foot radius the distance of 15.48 feet, which arc is subtended by a chord bearing South 02 degrees 04 minutes 00.5 seconds West 13.98 to intersect the northwest side of said Putty Hill Road and thence binding on the northwest side of

said Putty Hill Road by a line curving to the right, with a 835.0 foot radius the distance of 39.53 feet, which arc is subtended by a chord bearing North 47 degrees 46 minutes 05.5 seconds East 39.53 feet to the place of beginning.

And also excepting out of the above tract herein firstly described, the area of ground comprising the Gunpowder Falls-Montebello Tunnel Right-of-way, 30 feet wide, the center line of which intersects the fourth line of the firstly described parcel of land conveyed by James H. Coleman and wife to the Mayor and City Council of Baltimore by deed, dated September 28, 1936, and recorded among the Land Records of Baltimore County in Liber C. W. B. Jr. No. 977, folio 576, at a point distant North 82 degrees 34 minutes 50 seconds West 294.65 feet from the point formed by the intersection of the fourth line of the first parcel of said deed and the west side of Hoerner Avenue, 60 feet wide, and extends South 24 degrees 43 minutes 18 seconds West 451.44 feet to intersect the second line of the first parcel of said deed at a point distant North 83 degrees 08 minutes 05 seconds West 147.18 feet from the point formed by the intersection of the second line of the first parcel of said deed and the northwest side of Putty Hill Road, 70 feet wide.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1323

(Council No. 2028)

An ordinance to condemn and close (1) Fort Avenue, 66 feet wide, from Race Street westerly 1385.0 feet to bulkhead line of the Middle Branch of Patapsco River and (2) Leadenhall Street, 66 feet wide, from Fort Avenue northerly 325.0 feet to Clement Street, in accordance with a plat thereof numbered 291-A-6A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Tenth (10th) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close (1) Fort Avenue, 66 feet wide, from Race Street westerly 1385.0 feet to bulkhead line of the Middle Branch of Patapsco River and (2) Leadenhall Street, 66 feet wide, from Fort Avenue northerly 325.0 feet to Clement Street, in accordance with a plat thereof numbered 291-A-6A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Tenth (10th) day of May, 1962, and now on file in said office; the said Streets are numbered one and two on said plat and described as follows:

1. Beginning for the first part thereof at the point formed by the intersection of the west side of Race Street, as now laid out, and the south side of Fort Avenue, 66 feet wide, and running thence westerly, binding on the south side of said Fort Avenue, 1389.0 feet to intersect the Bulkhead and Pierhead Lines of the Middle Branch of the Patapsco River, established 1920; thence northerly, binding on said Bulkhead and Pierhead Lines, 67.0 feet to intersect the north side of said Fort Avenue; thence easterly, binding on the north side of said Fort Avenue, 1381.0 feet to intersect the west side of said Race Street and thence southerly, bind-

ing; on the west side of said Race Street, 66.0 feet to the place of beginning.

2. Beginning for the second part thereof at the point formed by the intersection of the east side of Leadenhall Street, 66 feet wide, and the north side of Fort Avenue, 66 feet wide, and running thence westerly, binding on the north side of said Fort Avenue, 66.0 feet to intersect the west side of said Leadenhall Street; thence northerly, binding on the west side of said Leadenhall Street, 325.0 feet to intersect the south side of Clement Street, as now laid out; thence easterly, binding on the south side of said Clement Street, 66.0 feet to intersect the east side of said Leadenhall Street and thence southerly, binding on the east side of said Leadenhall Street, 325.0 feet to the place of beginning. The said Avenue as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Tenth (10th) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after

the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purpose of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1324

(Council No. 2029)

An ordinance to condemn and open Fayette Street, 60 feet wide, from Charles Street to the center line of Hanover Street, the east one-half of Hanover Street, 66 feet wide, from Wilkes Lane to Fayette Street and a triangular portion of McClellan Place from Fayette Street to Hanover Street, in accordance with a plat thereof numbered 163-B-47-A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Seventh (7th) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, Fayette Street, 60 feet wide, from Charles Street to the center line of Hanover Street, the east one-half of Hanover Street, 66 feet wide, from Wilkes Lane to Fayette Street and a triangular portion of McClellan Place from Fayette Street to Hanover Street, in accordance with a plat thereof numbered 163-B-47A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Seventh (7th) day of May, 1962, and now on file in said office; the said Streets are numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the west side of Charles Street, 76 feet wide, and the south side of Fayette Street, 60 feet wide, and running thence westerly, binding on the south side of said Fayette Street and continuing the same course, in all, 289.0 feet to intersect the line of the east side of Hanover Street, 66 feet wide, produced northerly; thence southerly, reversing said line so produced and binding thereon and on the east side of said Hanover Street, in all, 74.0 feet to intersect the north side of Wilkes Lane, as now laid out; thence westerly binding on

the line of the north side of said Wilkes Lane, produced westerly, 33.0 feet to intersect the center line of said Hanover Street; thence northerly, binding on the center line of said Hanover Street, 155.0 feet to intersect the northeast side of said Fayette Street; thence binding on the northeast and north sides of said Fayette Street, the two following courses and distances, namely, southeasterly 63.0 feet and easterly 264.0 feet to intersect the line of the west side of said Charles Street, produced northerly, and thence southerly, reversing said line of Charles Street so produced and binding thereon 60.0 feet to the place of beginning.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Seventh (7th) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1325

(Council No. 2030)

An ordinance to condemn and close Fayette Street, 60 feet wide, from Charles Street to the center line of Hanover Street, the east one-half of Hanover Street, 66 feet wide, from Wilkes Lane to Fayette Street and a triangular portion of McClellan Place from Fayette Street to Hanover Street, in accordance with a plat thereof numbered 163-B-47B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Eighth (8th) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close, Fayette Street, 60 feet wide, from Charles Street to the center line of Hanover Street, the east one-half of Hanover Street, 66 feet wide, from Wilkes Lane to Fayette Street and a triangular portion of McClellan Place from Fayette Street to Hanover Street, in accordance with a plat thereof numbered 163-B-47B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Eighth (8th) day of May, 1962, and now on file in said office; the said Streets are numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the west side of Charles Street, 76 feet wide, and the south side of Fayette Street, 60 feet wide, and running thence westerly, binding on the south side of said Fayette Street and continuing the same course, in all, 289.0 feet to intersect the line of the east side of Hanover Street, 66 feet wide, produced northerly; thence southerly, reversing said line so produced and binding thereon and on the east side of said Hanover Street, in all, 74.0 feet to intersect the north side of Wilkes Lane, as now laid out; thence westerly binding on

the line of the north side of said Wilkes Lane, produced westerly, 33.0 feet to intersect the center line of said Hanover Street; thence northerly, binding on the center line of said Hanover Street, 155.0 feet to intersect the northeast side of said Fayette Street; thence binding on the northeast and north sides of said Fayette Street, the two following courses and distances, namely, southeasterly 63.0 feet and easterly 264.0 feet to intersect the line of the west side of said Charles Street, produced northerly, and thence southerly, reversing said line of Charles Street so produced and binding thereon 60.0 feet to the place of beginning.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Eighth (8th) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which

said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1326

(Council No. 2034)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the four lots of ground, known as Nos. 714, 716, 718 and 720 S. Durham Street in Baltimore City, Maryland. Said properties being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the four lots of ground situate in Baltimore City, and described as follows:

Nos. 714, 716, 718 and 720 S. Durham Street.

Said properties being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1327

(Council No. 2035)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance

with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the two parcels of land situate in Baltimore City on the east side of Falls Road north of North Avenue, containing together 0.1494 acres of land, more or less. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcels of land situate in Baltimore City, and described as follows:*

Beginning for the first plane parcel thereof at a point in the third line of the first described parcel of land conveyed by the Maryland and Pennsylvania Railroad Company, et al. to the Mayor and City Council of Baltimore by deed, dated September 14, 1960, and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 942, folio 481, at the distance of North 02 degrees 51 minutes 00 seconds West 88.37 feet from the beginning of said third line, said point being formed by the intersection of a line drawn parallel with and distant 130.0 feet westerly, from the west side of Howard Street, 66 feet wide, and a line drawn parallel with and distant 188.37 feet northerly from the north side of North Avenue, 100 feet wide, the coordinates of said point, based upon the coordinate system as adopted by the Baltimore Survey Control System being West 1198.51 feet and North 5154.19 feet, and running thence binding on part of the third line and on the fourth, fifth and on part of the sixth lines of the first described parcel of said deed, as now surveyed, the four following courses and distances, namely, North 02 degrees 51 minutes 00 seconds West 35.63 ft., North 26 degrees 00 minutes 30 seconds West 23.50 feet, South 28 degrees 28 minutes 40 seconds West 12.20 feet and North 33 degrees 03 minutes 00 seconds

West 189.33 feet to intersect the top of slope, there situate, and thence binding on the approximate top of slope the eleven following courses and distances, namely, South 23 degrees 36 minutes 37 seconds West 19.15 feet, South 03 degrees 48 minutes 01 seconds East 28.65 feet, South 19 degrees 33 minutes 15 seconds East 25.71 feet, South 19 degrees 53 minutes 37 seconds East 25.76 feet, South 54 degrees 39 minutes 01 seconds East 26.79 feet, South 52 degrees 51 minutes 00 seconds West 26.57 feet, South 46 degrees 32 minutes 40 seconds East 25.71 feet, South 31 degrees 03 minutes 42 seconds East 28.82 feet, South 17 degrees 14 minutes 45 seconds East 22.03 feet, South 60 degrees 31 minutes 29 seconds East 28.18 feet and South 56 degrees 47 minutes 55 seconds East 2.29 feet to the place of beginning.

Containing 6,128.16 square feet or 0.1407 acres of land more or less.

Beginning for the second plane parcel thereof at a point in the eighth line of the first described parcel of land conveyed by the Maryland and Pennsylvania Railroad Company, et al. to the Mayor and City Council of Baltimore City by deed, dated September 14, 1960, and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 942, folio 481, at the distance of South 70 degrees 27 minutes 00 seconds West 20.07 feet from the beginning of the said eighth line, the coordinates of said point, based upon the coordinate system as adopted by the Baltimore Survey Control System, being West 1459.07 feet and North 5537.34 feet and running thence binding reversely on part of the eighth line, and reversely on the seventh and part of the sixth line of said deed, as now surveyed, the two following courses and distances, namely, North 70 degrees 27 minutes 00 seconds East 20.07 feet and South 33 degrees 03 minutes 00 seconds East 38.60 feet to intersect the top of slope and thence binding on the approximate top of slope the four following courses and distances, namely, North 48 degrees 41 minutes 30 seconds West 7.40 feet, North

62 degrees 17 minutes 54 seconds West 28.65 feet, North 41 degrees 49 minutes 39 seconds West 6.58 feet and North 61 degrees 26 minutes 24 seconds West 5.29 feet to the place of beginning.

Containing 378.61 square feet or 0.0087 acres of land more or less.

Said parcels of land being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1328

(Council No. 2041)

An ordinance authorizing the Mayor and City Council of Baltimore to surrender to the owner or owners of the land the right-of-way and easement heretofore granted to it in Leith Road for municipal utilities and services, said right-of-way being no longer needed for public use.

WHEREAS, By Agreement, dated January 22, 1948, between the Mayor and City Council of Baltimore and Property Sales Company, et al. and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 7405, folio 385, the City of Baltimore was granted a right-of-way in Leith Road, varying in width from 50 feet to 96 feet, more or less, running from Loch Raven Boulevard westerly and northerly to Woodbourne Avenue for the construction and maintenance of municipal utilities and services, said right-of-way being more particularly

shown on Survey Plat, dated January 5, 1948, attached to and made a part of said deed; and

WHEREAS, Said right-of-way to the aforesaid width, heretofore granted, is no longer needed for public use, except as to a 15-foot right-of-way or easement for the construction and maintenance of a presently constructed sanitary sewer therein; and

WHEREAS, The present owner or owners of the land within said right-of-way, varying in width from 50 feet to 96 feet, more or less, has agreed with the City of Baltimore that in consideration of the City's releasing and surrendering said right-of-way granted, as aforesaid, to grant unto the City a perpetual right-of-way or easement for the construction and maintenance therein of municipal utilities and services, therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Mayor and City Council of Baltimore be and it is hereby authorized to grant and surrender unto the present owner or owners of the land within the right-of-way, varying in width from 50 feet to 96 feet, more or less, running from Loch Raven Boulevard westerly and northerly to Woodbourne Avenue, the right-of-way or easement heretofore granted to the City of Baltimore under the said Argeement, dated January 22, 1948, with Property Sales Company, et al. in consideration of the said present owner or owners of said right-of-way granting to the Mayor and City Council of Baltimore, a right-of-way or easement, 15 feet wide, extending southerly from Woodbourne Avenue to the southerly side of Leith Road, as formerly proposed, said 15-foot right-of-way being more particularly shown on Survey Plat, dated January 31, 1962, numbered R.W. 30-35080, now on file in the Bureau of Surveys of Baltimore City. The portion of said right-of-way, varying in width from 50 feet to 96 feet, more or less, hereby being authorized to be released is no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1329

(Council No. 2043)

An ordinance to condemn and open, Johnson street, 66 feet wide, from Wells Street southerly 294.37 feet to the Baltimore and Ohio Railroad's (Locust Point Branch) right-of-way in accordance with a plat thereof numbered 282-A-20A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-third (23rd) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open Johnson Street, 66 feet wide, from Wells Street southerly 294.37 feet to the Baltimore and Ohio Railroad's (Locust Point Branch) right-of-way in accordance with a plat thereof numbered 282-A-20A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-third (23rd) day of May, 1962 and now on file in said office; the said street is numbered one on said plat and described as follows:

Beginning for the same at the point formed by intersection of the west side of Johnson Street, 66 feet wide, and the south side of Wells Street, as now laid out and running thence North 87°-05'-00"

East, binding on the south side of said Wells Street, 66.0 feet to intersect the east side of said Johnson Street; thence South $02^{\circ}-58'-00''$ East, binding on the east side of said Johnson Street, 278.04 feet to intersect the northwest side of the Baltimore and Ohio Railroad's (Locust Point Branch) right-of-way; there situate, thence binding on the northwest side of said Railroad's right-of-way, the two following courses and distances, namely, South $59^{\circ}-35'-00''$ West 30.94 feet and by a line curving to the right, with a 608.62 foot radius the distance of 42.70 feet, which arc is subtended by a chord bearing South $61^{\circ}-35'-36''$ West 42.69 feet to intersect a line drawn parallel with and distant 66.0 feet westerly, measured at right angles from the second line of this description and thence reversing said line so drawn and binding thereon North $02^{\circ}-58'-00''$ West 310.70 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Johnson Street as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-third (23rd) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Johnson Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of

Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1330

(Council No. 2044)

An ordinance to condemn and close, Johnson Street, 66 feet wide, from Wells Street southerly 294.37 feet to the Baltimore and Ohio Railroad's (Locust Point Branch) right-of-way in accordance with a plat thereof numbered 282-A-20B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-fourth (24th) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Johnson Street, 66 feet wide, from Wells Street southerly 294.37 feet to the Baltimore and Ohio Railroad's (Locust Point Branch) right-of-way in accordance with a plat thereof numbered 282-A-20B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-fourth (24th) day of May, 1962 and now on file in said office; the said street is numbered one on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the west side of Johnson Street, 66 feet wide, and the south side of Wells Street, as now laid out and running thence North 87°-05'-00" East, binding on the south side of said Wells Street, 66.0 feet to intersect the east side of said Johnson

Street; thence South $02^{\circ}-58'-00''$ East, binding on the east side of said Johnson Street, 278.04 feet to intersect the northwest side of the Baltimore and Ohio Railroad's (Locust Point Branch) right-of-way; there situate, thence binding on the northwest side of said Railroad's right-of-way, the two following courses and distances, namely, South $59^{\circ}-35'-00''$ West 30.94 feet and by a line curving to the right, with a 608.62 foot radius the distance of 42.70 feet, which arc is subtended by a chord bearing South $61^{\circ}-35'-36''$ West 42.69 feet to intersect a line drawn parallel with and distant 66.0 feet westerly, measured at right angles from the second line of this description and thence reversing said line so drawn and binding thereon North $02^{\circ}-58'-00''$ West 310.70 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Johnson Street as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-fourth (24th) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges

of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained*, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Johnson Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of

Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1331

(Council No. 2049)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate at the intersection of the northwest side of Pitcher Street and the northeast side of Fremont Avenue, having a frontage on Fremont Avenue of 85 feet, and on Pitcher Street of 75 feet, being Lot 26, Block 336 on the City Tax Plats. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore City, and described as follows:

Beginning for the same at the intersection of the northwest side of Pitcher Street and the northeast side of Fremont Avenue, extending northerly along Fremont Avenue 85 feet to property 1107 Fremont Avenue, thence northeasterly along said last mentioned property to the southwest outline of property 662 Pitcher Street, thence along said southwest out-

line southeasterly 81 feet to Pitcher Street, thence along Pitcher Street southwesterly 75 feet to the place of beginning.

Being Lot 26 in Block 336 of the City Tax Plats.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1332

(Council No. 2051)

An ordinance to add new Sections 164 (1a) and 164 (1b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to follow immediately after Section 164 (1) thereof, as said section and sub-title were ordained by Ordinance No. 1346, approved March 4, 1955, adding portions of Carrollton Avenue to the so-called Parking Meter Ordinance and thereby providing for the installation and operation of Parking Meters on these portions of Carrollton Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Sections 164 (1a) and 164 (1b) be and they are hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", to follow immediately after Section 164 (1) thereof, as said section and sub-title were ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

164.

(1a) Carrollton Avenue, east side, angle parking, from Little Hollins Street to Lombard Street, between the hours of 8 A. M. and 6 P. M.

(1b) Carrollton Avenue, west side, from Little Hollins Street to Lombard Street, between the hours of 8 A. M. and 6 P. M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1333

(Council No. 2056)

An ordinance to repeal and reordain with amendments Paragraphs 1710, 1720, 1730, and 1750 of Article 5 of the Baltimore City Code (1950 Edition), title "Building Regulations", as said paragraphs were amended by Ordinance No. 1041, approved December 21, 1961, and to add a new Paragraph 1751 thereto, to follow immediately after Paragraph 1750 thereof, amending the Building Code of Baltimore City with respect to certain fees for construction work, electrical work, mechanical work, special licenses and periodic inspections.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Paragraphs 1710, 1720, 1730, and 1750 of Article 5 of the Baltimore City Code (1950 Edition), title "Building Regulations", as said paragraphs were amended by Ordinance No. 1041, approved December 21, 1961, be and they are hereby repealed and reordained with amendments; and that a new Paragraph 1751 be and it is hereby

added thereto, to follow immediately after Paragraph 1750 thereof, and all to read as follows:

5.

1710. Permit Fees for Construction Work.

a. New buildings and additions: \$1.00 for each 1000 cubic feet or fraction of gross volume as defined in Section 201 plus the volume of all basements and cellars. Minimum \$15.00 for new buildings; \$8.00 for addition.

b. Accessory structures in connection with a principal occupancy as in Paragraph 4970: \$7.00 for each structure; \$3.00 if less than 25 square feet in area.

c. Alterations and Repairs: \$3.00 per thousand dollars or fraction of construction; minimum \$3.00.

d. Chimneys, stacks, towers:

0—50 feet	\$ 3.00
Over 50 feet	10.00

e. Retaining walls: \$3.00 for each 200 square feet or fraction.

f. Fences: \$ 3.00 each

g. Grading (excavating or filling):

0— 5,000 cubic yards	\$ 5.00
5,001—50,000 cubic yards	15.00
Over 50,000 cubic yards	20.00

h. Paving or surfacing:

0— 1,500 square feet	\$ 3.00
1,501—10,000 square feet	8.00
10,001—50,000 square feet	15.00
Over 50,000 square feet	25.00

i. Erection, placing, hanging or reconstruction of signs: \$0.03 per square foot of gross area of the sign face or faces. No fee shall be charged for signs less than 100 square feet which are used exclusively for advertising the property on which they are posted, for sale or for rent.

Repairing, painting and rehangng the sign in the same place shall be charged at the rate of \$3.00 for each permit issued.

j. Razing: \$1.00 per lineal foot or fraction of front of building with a minimum fee of \$15.00; except that accessory buildings shall be \$5.00 each.

k. Temporary structures as in Paragraph 4980: Each temporary structure per each 5,000 cubic feet of volume or portion thereof: \$7.00 per year on an annual basis; \$3.00 per month on a monthly basis; \$2.00 per week on a weekly basis.

l. Moving buildings—\$3.00 each.

1720. Permit Fees for Electrical Work.

a. Electrical service wiring and equipment to be installed, replaced or relocated, including provision for connection of the meter:

Rating in Amperes	Fee
0 to 100	\$ 2.00
101 to 400	3.00
401 to 800	7.00
over 800	10.00

For an installation consisting of more than one set of service equipment, the fee shall be that for the set for which the greatest fee is prescribed, plus one-half the fee prescribed for the additional sets.

b. Electrical wiring for new branch circuits, feeders and extensions to or replacements of branch circuits, shall be at the rate of \$1.50 per circuit.

A three-wire or four-wire branch circuit serving single phase loads shall be considered as two or three branch circuits respectively. A three-wire branch circuit serving only three phase loads or serving a single appliance shall be considered as one branch circuit.

c. Temporary electrical wiring for bazaars, carnivals, cinema shows, circuses, dances, displays, exhibitions, fairs, lectures, plays, rummage sales,

sporting events, suppers and other similar assemblies: \$2.00 for each 5 kilowatts or portion thereof of feeder capacity supplying such wiring. The permit fee shall be reduced one-half when the entire net proceeds derived therefrom are to be used for a charitable or religious purpose.

d. Electrical semi-annual permits for maintenance work shall be \$5.00 for each permit issued. These permits will be issued only to Registered Maintenance Electricians or Registered Master Electricians, employed by the company on whose premises the work is to be done.

e. Electrical work not otherwise classified in this section shall be \$3.00 for each permit issued.

f. Minimum fee for any electrical permit shall be \$3.00.

1730. Fees for Mechanical Permits.

a. Furnaces and fuel burning equipment other than gas fired, including heating systems shall be charged at the following rates:

0 to 200,000 BTU per hour	\$ 5.00 per unit
200,000 to 500,000 BTU per hour	25.00 per unit
over 500,000 BTU per hour	50.00 per unit

Domestic appliances (not including water heaters)—\$2.00 each.

Major alterations and repairs shall be charged at the rate of 50 percent of the fee above, the minimum being \$3.00.

b. Air conditioning and Refrigeration Systems, including air handling and distribution equipment shall be as following (1 ton equals 12,000 BTU per hour)

\$1.00 per ton, minimum fee \$5.00, maximum \$100.00
per unit

c. Ventilation Systems: \$1.00 per thousand cubic feet of air per minute.

d. Unfired pressure vessels shall be \$10.00 each.

e. Gas fuel-burning equipment shall be charged as follows:

Size of Pipe	Fee
$\frac{3}{4}$ inch diameter	\$2.00
1 inch diameter	3.00
$1\frac{1}{4}$ inch diameter	4.00
$1\frac{1}{2}$ inch diameter	5.00
2 inch diameter	6.00
$2\frac{1}{2}$ inch diameter	9.00
3 inch diameter	12.00
4 inch diameter	24.00
6 inch diameter	48.00
8 inch diameter	90.00
10 inch diameter	120.00
12 inch diameter	180.00

Gas burners permit fees are based on the size of the gas pipe leading from the gas meter in the building or on the size of the service gas pipe entering a building or on the size of the gas pipe leading from an existing gas service pipe inside of a building. The permit fee for any gas burning system based on the size of the pipe supplying such system shall cover, without additional cost, one or more gas burning appliances supplied with gas from such pipe.

f. Tanks for flammable liquids shall be charged at the following rates:

0 to 1,000 gals.	\$ 5.00 each
1,001 to 10,000 gals.	10.00 each
over 10,000 gals.	10.00 plus \$1.00 for each 5,000 gal. capacity over 10,000 gal. or fraction thereof.

The maximum fee shall be \$250.00.

g. Pumps shall be charged at the rate of \$1.00 per each inch or fraction of intake diameter, the minimum being \$3.00.

h. Fire extinguishing appliances shall be charged at the rates in the following schedule:

Equipment	Fee
Sprinkler systems—1 to 25 heads	\$10.00
more than 25 heads	20.00 per 100 or fraction
Standpipe risers	20.00 each
Co2 systems	2.00 per 5,000 cu. ft. or portion thereof, of the space protected
Relocating hose station or sprinkler heads	3.00 each
Hand extinguishers	No charge
Alterations or repairs	As new

i. Plumbing: \$2.00 per fixture; \$10.00 to connect to sewer including 5 fixtures; \$15.00 for each individual disposal system; \$2.00 for each water heater under 100,000 BTU per hour.

j. Installation of elevators and hoists shall be charged at the rates in the following schedule:

Equipment	Fee
Passenger elevators	\$25.00 each
Power freight elevators	20.00 each
Hand or gravity elevators	10.00 each
Escalators	20.00 each
Power dumbwaiters	10.00 each
Hand dumbwaiters	8.00 each
Stage, orchestra or console elevators	15.00 each
Private residence elevators or inclined lifts	15.00 each
Invalid elevators	5.00 each
Man lifts	5.00 each
Parking elevators	15.00 each
Parking lifts	2.00 each

Cranes, hoists & conveyors (10 tons or under)	5.00 each
Cranes, hoists & conveyors (over 10 tons)	15.00 each
Automobile hoists	5.00 each
Builders hoists & elevators temporarily used as builders hoists	5.00 each
Reconstruction—Same as required above for new installations	
Alterations—	\$3.00 per \$1,000.00 or portion thereof of estimated cost
Repair—	No charge

1750. Fees for Special License to present bazaars, carnivals, cinema shows, circuses, dances, displays, exhibitions, fairs, lectures, plays, rummage sales, sporting events, suppers and other similar assemblies on premises where no annual license permit has been issued as provided in Paragraph 1760, shall be charged at the rates in the following schedule:

Purpose	Fee for each 10,000 square feet or portion thereof		
	One Day	One Week	One Month
Bazaars	\$8.00	\$24.00	\$48.00
Carnivals	16.00	48.00	96.00
Cinema Shows	8.00	24.00	48.00
Circuses	20.00	60.00	120.00
Dances	12.00	36.00	72.00
Displays	10.00	30.00	60.00
Exhibitions	8.00	24.00	48.00
Fairs	10.00	30.00	60.00
Lectures	8.00	24.00	48.00
Plays	8.00	24.00	48.00
Rummage Sales	8.00	24.00	48.00
Sporting Events	12.00	36.00	72.00
Suppers	8.00	24.00	48.00
Other Assemblies	8.00	24.00	48.00
Amusement Devices—	\$10.00 each		

Where the net proceeds from any of the aforementioned assemblies are to be used for a charitable or religious purpose, the fee shall be reduced 50 percent, except amusement devices.

1751. Permit fees for Periodic Inspections shall be charged at the following rates:

Roof tanks		\$8.00 each
Roof signs	0 to 100 sq. ft.	no charge
	101 to 500 sq. ft.	\$3.00 each
	501 to 1000 sq. ft.	\$8.00 each
	over 1000 sq. ft.	\$12.00 each

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1334

(Council No. 2074)

An ordinance to increase the Annual Salaries of the members of the Board of Estimates commencing at certain times in the year 1963.

WHEREAS, Section 30 of the 1949 Edition of the Charter of the Mayor and City Council of Baltimore (hereinafter referred to as the "City Charter") provides that the Board of Estimates of the Mayor and City Council of Baltimore shall be a department of said municipality, and that the members of said Board shall consist of the Mayor, City Solicitor, Comptroller, President of the City Council and the Director of Public Works; and

WHEREAS, Section 31 of the City Charter provides, among other things, that the Mayor and City Council, by ordinance, may increase the salaries of the municipal officers comprising the Board of Estimates over and above the amounts specified elsewhere in the City Charter; and

WHEREAS, Section 9 of the City Charter provides that the annual salary of the Mayor shall be in the amount of \$15,000.00; and

WHEREAS, Section 17 of the City Charter states that the annual salary of the President of the City Council shall be in the amount of \$6,500.00; and

WHEREAS, Section 40 of the City Charter sets forth that the annual salary of the Comptroller shall be in the amount of \$10,000.00; and

WHEREAS, Section 64 of the City Charter provides that the annual salary of the City Solicitor shall be in the amount of \$10,000.00, and such annual salary was last duly increased to the amount of \$17,500.00 in 1958, effective as of January 1, 1956, as authorized by the City Charter and Section 35 of Article III of the Constitution of Maryland; and

WHEREAS, Section 67 of the City Charter designates that the annual salary of the Director of Public Works shall be in the amount of \$12,000.00, and such annual salary was last duly increased to \$17,500.00 in 1958, effective as of January 1, 1956, as authorized by the City Charter and Section 35 of Article III of the Constitution of Maryland; and

WHEREAS, Section 35 of Article III of the Constitution of Maryland provides that from and after January 1, 1956, for services rendered after that date, the salary or compensation of any appointed public officer of the Mayor and City Council of Baltimore may be increased or diminished at any time during his term of office, except that as to officers in the Classified City Service, when the salary of any appointed public officer of the Mayor and City Council of Baltimore shall be so increased or decreased, it shall not again be increased or decreased, as the case may be, during the term of such public officer; and

WHEREAS, the Standard Salary Committee of the municipality, together with certain civic and labor leaders in the City of Baltimore, have recommended

an increase in the salaries of the municipal officers comprising the Board of Estimates; now, therefore,

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the annual salaries of the municipal officers comprising the Board of Estimates shall be in the amount, and shall commence at the time and continue thereafter, as set opposite each respective office as follows:

Office	Amount	Beginning Date
1. Mayor	\$25,000	The Tuesday next after the third Monday of May, 1963.
2. President of City Council	\$10,000	The day when the term of the President of the City Council who is elected in May, 1963, commences.
3. Comptroller	\$17,500	The Tuesday next after the third Monday of May, 1963.
4. City Solicitor	\$20,000	The Tuesday next after the third Monday of May, 1963.
5. Director of Public Works	\$22,500	The Tuesday next after the third Monday of May, 1963.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage; provided, however, that in no event shall the salary of any member of the Board of Estimates be increased or be deemed to be increased under the provisions of this ordinance prior to the time hereinbefore specifically set forth as to each respective member of such Board.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1335

(Council No. 2075)

An ordinance to repeal Section 137 (17) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No. 492, approved June 7, 1956, and to ordain new Sections 137 (17) and 137 (17a) in lieu thereof, to stand in the place of the section so repealed, revising the provision concerning the stopping and parking of vehicles on the upper level of St. Paul Street between Saratoga Street and Lexington Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 137 (17) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No. 492, approved June 7, 1956, be and it is hereby repealed; and that new Sections 137 (17) and 137 (17a) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

137.

(17) No vehicle is permitted to be parked at any time on the west side of the upper level of St. Paul Street, between Saratoga Street and Lexington Street; and between the hours of 7:30 A. M. and 10 A. M. on any day, no vehicle is permitted to be stopped on this portion of the upper level of St. Paul Street.

(17a) Vehicles owned or operated by employees or agents of the Bureau of Public Roads of the United States Department of Commerce have the exclusive right to park on the east side of the upper level of St. Paul Street between Saratoga Street and Lexington Street. Any such vehicle shall have affixed thereto and prominently displayed a permit for such parking which has been issued by the

Bureau of Public Roads and approved by the Department of Transit and Traffic. Except as in this section provided, it is unlawful for any other vehicle to be parked in this portion of the upper level of St. Paul Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1336

(Council No. 2078)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the area of ground, comprising the former bed of Johnson Street, 66 feet wide, and extending southerly from the south side of what is now or formerly known as Wells Street, a distance of 310 feet, more or less, to the right-of-way of the Baltimore and Ohio Railroad Company. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the area of ground situate in Baltimore City, and described as follows:

Area of ground, comprising the former bed of Johnson Street, 66 feet wide, and extending south-

erly from the south side of what is now or formerly known as Wells Street, a distance of 310 feet, more or less, to the Right-of-way of The Baltimore and Ohio Railroad Company.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1337

(Council No. 1753)

An ordinance to amend Sheet No. 7 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential and Office Use District to the Restricted First Commercial District, the property between The Alameda and Purdue Avenue, south from Walters Avenue, as outlined in red on the four plats accompanying this ordinance; such change in zoning classification to be for the purpose of constructing and maintaining a bank building with accessory parking, according to the development plans filed with and incorporated by reference in this ordinance, and subject to the condition that failure to establish, or to be actively in the process of establishing the development in accordance with said plans and conditions within eighteen months after the date of approval of this ordinance, and that failure to maintain the land,

buildings and uses in substantial conformity with said plans and conditions, may be grounds for the reclassification of the said property, all as provided in Ordinance 940 of the Mayor and City Council of Baltimore, approved July 28, 1961.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 7 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential and Office Use District to the Restricted First Commercial District, the property between The Alameda and Purdue Avenue, south from Walters Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this change in zoning classification is for the purpose of constructing and maintaining a banking branch office with accessory parking. Such construction and maintenance are to be in accordance with the development plans filed with this ordinance, which are incorporated by reference. The ordaining of this ordinance also is subject to the condition that failure to establish, or to be actively in the process of

establishing the development in accordance with said plans and conditions within eighteen months after the date of approval of this ordinance, and that failure to maintain the land, buildings and uses in substantial conformity with said plans and conditions, may be grounds for the reclassification of the said property, all as provided in Ordinance 940 of the Mayor and City Council of Baltimore, approved July 28, 1961.

SEC. 4. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved July 20, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1338

(Council No. 1843)

An ordinance authorizing the City Comptroller to sell at public sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground in the rear of 2905 W. Strathmore Avenue, comprising Lot 18, Block 4359, City Tax Plats. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at public sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore City, Maryland, in the rear of 2905 W. Strathmore Avenue, comprising Lot 18, Block 4359, City Tax Plats. Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved July 25, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1339

(Council No. 2072)

An ordinance to repeal and re-ordain, with amendments, Section 11 (a) of Article 14A of the Baltimore City Code (1950 Edition), title "Human Relations", sub-title "Baltimore Equal Opportunity Commission", as said section was last amended by Ordinance No. (Introductory No. 1509), adding an additional member to the Baltimore Equal Opportunity Commission.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 11 (a) of Article 14A of the Baltimore City Code (1950 Edition), title "Human Relations", sub-title "Baltimore Equal Opportunity Commission", be and it is hereby repealed and re-ordained, with amendments, to read as follows:

11. (a) There is hereby established the Baltimore Equal Opportunity Commission which shall consist of ten members who shall be appointed by the Mayor subject to approval by the City Council. One member of the Commission at all times shall be an active member of the Maryland Restaurant Association. Any five members of the Commission shall constitute a quorum. They shall serve without compensation but shall be reimbursed for all expenses necessarily incurred. Each member of the Commission shall serve for a period of three years and

until his successor is duly appointed and qualified, except that in the case of those first appointed the terms shall be staggered as follows: three to serve for one year; three to serve for two years; and three to serve for three years. The membership of the member representing the Maryland Restaurant Association shall be for three years, fitting into the staggered system from the time of his original appointment. The members of the Commission shall annually elect a chairman from among the members of the Commission and shall appoint a secretary.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved August 31, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1340

(Council No. 1892)

An ordinance to amend Sheet No. 16 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, by changing from the E-40 Height and Area District to the F-40 Height and Area District the property bounded by the alley south of Woodbourne Avenue on the north, The Alameda on the east, Midwood Avenue and Craig Avenue on the West, Winston Avenue and the alley south of Winston Avenue on the south as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 16 of the Height and Area District Map of Article 40 of the

Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the E-40 Height and Area District to the F-40 Height and Area District the property bounded by the alley south of Woodbourne Avenue on the north, The Alameda on the east, Midwood Avenue and Craig Avenue on the west, Winston Avenue and the alley south of Winston Avenue on the south as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 11, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1341

(Council No. 2145)

An ordinance to add a new Section 126(36a) to Article 38 of the Baltimore City Code (1950

Edition), title "Traffic Regulations," sub-title "Parking," to follow immediately after Section 126(36) thereof, prohibiting the parking of vehicles on the east side of Haven Street, between Monument Street and Pulaski Highway.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 126(36a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking," to follow immediately after Section 126(36) thereof, and to read as follows:

126.

(36a) No vehicle is permitted to be parked at any time on the east side of Haven Street between Monument Street and Pulaski Highway.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved October 23, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1342

(Council No. 2146)

An ordinance to repeal and reordain with amendments Section 111(6a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," as said section was ordained by Ordinance No. 1276, approved February 28, 1958, amending the ordinance which makes a one-way street of Ready Avenue from Winston Avenue to Ramble Avenue, in order to change the direction of the traffic flow thereon.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111(6a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," as said section was ordained by Ordinance No. 1276, approved February 28, 1958, be and it is hereby repealed and reordained with amendments to read as follows:

111.

(6a) Ready Avenue, from Winston Avenue to Ramble Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 23, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1343

(Council No. 2147)

An ordinance to repeal and reordain with amendments Section 111(1a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," as said section was ordained by Ordinance 1274, approved February 28, 1958, amending the ordinance which makes a one-way street of Ramble Avenue, between Ready Avenue and Govane Avenue, in order to reverse the flow of one-way traffic thereon.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111(1a) of Article 38 of the Baltimore City Code (1950 Edition), title

"Traffic Regulations," sub-title "One-Way Streets," as said section was ordained by Ordinance 1274, approved February 28, 1958, be and it is hereby repealed and reordained with amendments to read as follows:

111.

(1a). Ramble Avenue, from Ready Avenue to Govane Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved October 23, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1344

(Council No. 2148)

An ordinance to repeal Sections 3-7, inclusive, of Article 13 of the Baltimore City Code (1950 Edition), title "Hospitals," sub-title "Hospital Zones," and to ordain new Sections 3-7, inclusive, in lieu thereof, to stand in the place of the sections so repealed, revising the provisions concerning the designation of certain hospital zones in this City, and relating generally to the designation of these zones, the procedure for setting up and enforcing certain restrictions therein, and to the enforcement of such provisions.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Sections 3-7, inclusive, of Article 13 of the Baltimore City Code (1950 Edition), title "Hospitals," sub-title "Hospital Zones," be and they are hereby repealed; and that new Sections

3-7, inclusive, be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, to read as follows:

13.

3. The Health Commissioner, for the protection of the sick, shall declare certain areas surrounding legalized hospitals, lying-in asylums, sanatoriums and other institutions reserved for the sick, to be "Hospital Zones." He shall make a platted record of each of such zones to be kept on file in his office, subject to public inspection, during normal business hours. In describing and declaring these zones, the commissioners shall specifically state every street or the exact part of every street included in each separate "Hospital Zone."

4. Whenever the Health Commissioner describes any designated area as a "Hospital Zone," he shall forthwith forward to the Commissioner of Transit and Traffic an exact copy of the plat of the zone, setting forth the portions of any public highway included in the zone.

5. The Commissioner of Transit and Traffic, whenever notified of the creation and designation of any such "Hospital Zone," shall place conspicuously at the outer limits of the zone, a sign of dimensions ample to be easily read and containing the words: "Hospital Zone—Unnecessary Noises Prohibited."

6. Within any such zone it is unlawful for any pedestrian, resident, vendor, driver, chauffeur, motorman or any other person, by himself or by the operation of the instrument, agency or vehicle, which he may have in hand or which he may be drawing or controlling, to make any unnecessary or unseemly noises, to the disturbance of any patient or person within the zone, which noises could be avoided by the exercise of reasonable care and forethought.

7. Any person who does make any such unseemly or unnecessary noise within the boundaries of any such zone is guilty of a misdemeanor and, upon conviction, shall be fined not less than five dollars nor more than fifty dollars for each offense, said fines to be collected as other fines are collected.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 23, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1345

(Council No. 2149)

An ordinance to repeal Section 29 of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Driveways," and to ordain a new Section 29 in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the stopping of vehicles in or in front of certain private driveways in this City, and relating generally to the restrictions applicable for such driveways.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 29 of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Driveways," be and it is hereby repealed; and that a new Section 29 be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

29.

No vehicle may stop in or in front of any private driveway, without consent of the owner of the

premises, in such manner as to obstruct or interfere with vehicles entering or leaving the premises. The Commissioner of Transit and Traffic, upon request of the owner or occupant of said premises, shall determine the distance from the driveway in question, not to exceed a distance of ten feet, in which parking is prohibited in order to prevent obstruction or interference with vehicles entering and leaving the premises or in order to expedite the free movement of traffic, and may authorize the owner or occupant of the premises to paint the curbs adjacent to the driveway for the distance determined in such manner and with such type paint as shall be specified by the Department of Transit and Traffic. Nothing in this Section is intended nor shall it be construed as an acceptance of dedication by the City of any private driveway, lane, alley, or street as public property.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 23, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1346

(Council No. 2150)

An ordinance to repeal Sections 100(12a) and 100(12a-1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", subtitle "One-Way Streets" as said sections were ordained by Ordinance 1081 approved February 10, 1962, and to ordain a new Section 100(12a) in lieu thereof, to stand in the place of the sections so repealed, revising the Ordinance concerning the one-way street provisions applicable on Govane Avenue from Chateau Avenue to Ramble Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 100(12a)100 12a-1) of Article 38 of the Baltimore City Code 1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets" as said sections were ordained by Ordinance 1081 approved February 10, 1962, be and they are hereby repealed and that new Section 100(12a) is hereby ordained in lieu thereof to stand in the place of the sections so repealed, and to read as follows:

100.

(12a). Govane Avenue from Chateau Avenue to Ramble Avenue is a one-way street for vehicular traffic and shall be used by such traffic in a southerly direction only.

SEC. 2. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved October 23, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1347

(Council No. 2151)

An ordinance to repeal Section 163(3a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", as said section was ordained by Ordinance No. 1121 approved February 26, 1962, repealing the Ordinance which provided for the installation and operation of parking meters on the west side of Bentalou Street from Lexington Street to a point 128 feet north of Penrose Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 163(3a) of Article

38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking Meters", as said section was ordained by Ordinance No. 1121 approved February 26, 1962, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved October 23, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1348

(Council No. 2153)

An ordinance to repeal Section 96(36a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets" as said Section was ordained by Ordinance No. 1069, approved February 10, 1962, and to ordain new Sections 96(36a) and 96(36b) in lieu thereof, to stand in the place of the section so repealed, revising the ordinance concerning the one-way street provisions applicable to Chesley Avenue between Old Harford Road and Moyer Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 96(36a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," as said section was ordained by Ordinance No. 1069, approved February 10, 1962, be and it is hereby repealed; and that new Sections 96(36a) and 96(36b) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed and to read as follows:

96.

(36a). Chesley Avenue, from Old Harford Road to Harford Road, is a one-way street for vehicular traffic and shall be used by such traffic in an easterly direction only.

(36b) Chesley Avenue, from the first driveway easterly from Harford Road to the intersection of Moyer Avenue, is a one-way street for vehicular traffic and shall be used by such traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 23, 1963.

J. HAROLD GRADY, *Mayor*.

No. 1349

(Council No. 117)

An ordinance to repeal Ordinance No. 416, approved May 27, 1925, said ordinance being entitled "An ordinance to condemn, open widen and grade Old Annapolis Road, from the north side of Graveyard Lane to the Southern Boundary of the City of Baltimore established 1918, in accordance with a plat thereof filed in the Office of the Commissioners for Opening Streets, on the 12th day of March, 1925, and now on file in said office."

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance No. 416, approved May 27, 1925, entitled 'An ordinance to condemn, open, widen and grade Old Annapolis Road, from the north side of Graveyard Lane to the Southern Boundary of the City of Baltimore established 1918, in accordance with a plat thereof filed

in the Office of the Commissioners for Opening Streets, on the 12th day of March, 1925, and now on file in said office,' be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1350

(Council No. 2042)

An ordinance authorizing the Mayor and City Council of Baltimore to grant unto Baltimore County a perpetual right-of-way, 10 feet wide, for the construction and maintenance therein of an interceptor sewer along Jennifer Run through property of the City of Baltimore located in Baltimore County, known as Albert Graham Memorial Park.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore be and it is hereby authorized to grant unto Baltimore County a perpetual right-of-way, 10 feet wide, along Jennifer Run, through property of the City of Baltimore situated in Baltimore County, known as Albert Graham Memorial Park, together with a temporary easement for construction purposes, 40 feet wide, lying immediately adjacent to the right-of-way; said right-of-way and temporary construction easement being more particularly shown and indicated on Plan to Accompany right-of-way Agreement, dated December 26, 1961, Bureau of Land Acquisition drawings numbered R.W. 61-098, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, approved January 17, 1962, by the Bureau of Land Acquisition of Baltimore County,

copies of which drawings are now on file in the Department of Recreation and Parks of Baltimore City and the Bureau of Land Acquisition of Baltimore County. The grant of said right-of-way shall provide for minimum tree damage along the right-of-way, restoration by Baltimore County of all disturbed areas, and restoration or replacement of any damage to the existing archery range in Graham Park; also Baltimore County shall maintain at all times, during the installation period, safe access across open ditches or other construction for the public using the archery course in said park.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1351

(Council No. 2053)

An ordinance to condemn and open, Scott Street, 66 feet wide, from Ostend Street southerly 353.75 feet to Paca Street in accordance with a plat thereof numbered 291-A-7A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-third (23rd) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, Scott Street, 66 feet wide, from Ostend Street southerly 353.75 feet to

Paca Street, in accordance with a plat thereof numbered 291-A-7A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-third (23rd) day of May, 1962, and now on file in said office; the said Street is numbered one on said plat and described as follows:

Beginning for same at the point formed by the intersection of the southwest side of Ostend Street, 66 feet wide, and the east side of Scott Street, 66 feet wide, and running thence southerly, binding on the east side of said Scott Street, 340.0 feet to intersect the north side of Paca Street, as now laid out; thence westerly binding on the north side of said Paca Street by a line curving to the left, with a 638.0 foot radius, the distance of 66.07 feet to intersect a line drawn parallel with and distant 66.0 feet westerly, measured at right angles from the first line of this description; thence northerly, reversing said line so drawn and binding thereon, 367.50 feet to intersect the line of the southwest side of said Ostend Street, produced northwesterly, and thence southeasterly, reversing the line of the southwest side of said Ostend Street, so produced and binding thereon 70.14 feet to the place of beginning, the said Street as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-third (23rd) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Scott Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and

all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1352

(Council No. 2054)

An ordinance to condemn and close Scott Street, 66 feet wide, from Ostend Street southerly 353.75 feet to Paca Street in accordance with a plat thereof numbered 291-A-7B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-fourth (24th) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close, Scott Street, 66 feet wide, from Ostend Street southerly 353.75 feet to Paca Street, in accordance with a plat thereof numbered 291-A-7B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-fourth (24th) day of May, 1962, and now on file in said office; the said Street is numbered one on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the southwest side of Ostend Street, 66 feet wide, and the east side of Scott Street, 66 feet wide, and running thence southerly, binding on the east side of said Scott Street, 340.0 feet to

intersect the north side of Paca Street, as now laid out; thence westerly, binding on the north side of said Paca Street, by a line curving to the left, with a 638.0 foot radius, the distance of 66.07 feet to intersect a line drawn parallel with and distant 66.0 feet westerly, measured at right angles from the first line of this description; thence northerly, reversing said line so drawn and binding thereon, 367.50 feet to intersect the line of the southwest side of said Ostend Street, produced northwesterly, and thence southeasterly, reversing the line of the southwest side of said Ostend Street, so produced and binding thereon, 70.14 feet to the place of beginning, the said Street as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-fourth (24th) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained*, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or

erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Scott Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1353

(Council No. 2064)

An ordinance granting permission and authority to ConChemCo., Incorporated, a body corporate, to construct, maintain and operate a one-story steel conveyor superstructure or bridge above and across Paca Street about 53 feet Northeast of Bush Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission and authority be and the same are hereby granted to ConChemCo., Incorporated, a body corporate, its successors and assigns, hereinafter referred to as the grantee, to construct, maintain and operate, at its own cost and expense, for a period for ten years, with renewals as hereinafter described, a one-story steel conveyor superstructure or bridge above and across Paca Street, connecting the grantee's existing building located on the northwest side of said Paca Street with its new building to be located on the southeast side of said street.

SEC. 2. *And be it further ordained*, That the center line of said superstructure or bridge shall be located approximately 53 feet northeast of the northeast building line of Bush Street.

That the superstructure or bridge shall be approximately 66 feet long, 6 feet, 10 inches wide, and 12 feet high, and no part of the said superstructure or bridge shall be less than 23 feet above the surface of said Paca Street.

No woodwork or other combustible materials shall be used in the construction or maintenance of said superstructure or bridge and said structure shall be constructed in all respects in accordance with the Building Code of Baltimore City and shall be constructed, completed and maintained under the supervision and to the satisfaction of the Building Inspection Engineer of Baltimore City and

shall be, at all times hereafter, subject to regulation and control by the said Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That the Mayor and City Council of Baltimore hereby expressly reserves the right and power at all times to exercise, in the interest of the public full municipal superintendence, regulation, and control in respect to all matters connected with this grant, and not inconsistent with the terms thereof.

The franchise herein granted shall be held, exercised and enjoyed for a period of ten years from the effective date of this ordinance, with the further right to the grantee to fifteen (15) consecutive one-year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original ten-year grant, except as otherwise provided herein. Each one-year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original ten-year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works,

or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten-year term granted herein, or any one-year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructure or bridge in good condition as long as it remains in and above said street.

SEC. 6. *And be it further ordained,* That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council, as compensation for the franchise or privilege hereby granted, the sum of five hundred and seven dollars and thirteen cents (\$507.13) per year, payable in advance, during the continuance of this franchise or privilege.

SEC. 7. *And be it further ordained,* That non-compliance at any time or times with any of the terms or conditions of the grant hereby made shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation, and upon written notice to that effect from the Mayor of Baltimore City served

upon the grantee, its successors or assigns, all such rights shall cease and determine.

SEC. 9 *And be it further ordained*, That in the event of any revocation, forfeiture, or termination for any reason whatsoever, of the rights and privileges by this ordinance granted, the said grantee, its successors and assigns, shall, at their expense, promptly remove said superstructure or bridge in a manner satisfactory to the Building Inspection Engineer without any compensation to the grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore, from and against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council may, from time to time, be subjected to, on account of, by reason of, or in any way resulting from—

(a) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said superstructure or bridge, and

(b) any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1354

(Council No. 2152)

An ordinance to add Section 164(13a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Commerce Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Commerce Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 164(13a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follow:

164.

(13a) Commerce Street, west side, from Lombard Street to Water Street, between the hours of 9 A. M. and 4 P. M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1355

(Council No. 2154)

An ordinance to repeal Sections 136(7b) and 136(7c) of Article 38 of the Baltimore City Code

(1950 Edition), title "Traffic Regulations," sub-title "Parking," as said sections were ordained by Ordinance No. 172, approved December 14, 1955; to repeal Sections 136(7a-2) and 136(7a-3) of said Article and sub-title as ordained by Ordinance 540, approved December 9, 1960; and to repeal Sections 136(9) and 136(9a) of said Article and sub-title, as ordained by Ordinance 236, approved February 2, 1956; and to ordain in lieu thereof new Sections 136(7b) and 136(7c) to stand in the place of the sections so repealed, revising the provisions concerning the parking and stopping of vehicles on certain portions of Redwood Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Sections 136(7b) and 136(7c) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking," as said sections were ordained by Ordinance No. 172, approved December 14, 1955, be and they are hereby repealed; that Sections 136(7a-2) and 136(7a-3) of said Article and sub-title, as ordained by Ordinance No. 540, approved December 9, 1960, be and they are hereby repealed; that Sections 136(9) and 136(9a) of said Article and sub-title, as ordained by Ordinance 236, approved February 2, 1956, be and they are hereby repealed; and that new Sections 136(7b) and 136(7c) be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

136.

(7b) No vehicle is permitted to be stopped between the hours of 7:30 A. M. and 10 A. M. and between the hours of 4 P. M. and 6 P. M. on any day except Saturday and Sunday on the north side of Redwood Street, between South Street and Hopkins Place, and between the hours of 10 A. M. and 4 P. M. on any day except Saturday and Sunday, no vehicle is

permitted to be parked on this portion of the north side of Redwood Street.

(7c) No vehicle is permitted to be parked between the hours of 7 A. M. and 6 P. M. on any day except Saturday and Sunday on either side of Redwood Street, between Howard Street and Fremont Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1356

(Council No. 2175)

An ordinance to repeal Section 141(59) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking," as said section was ordained by Ordinance 1376, approved April 23, 1958, and to ordain new Sections 141(59) and 141(59-1/2) in lieu thereof, to stand in the place of the section so repealed, revising the provision concerning the parking of vehicles on certain portions of Wolfe Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 141(59) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking," as said section was ordained by Ordinance 1376, approved April 23, 1958, be and it is hereby repealed; and that new Sections 141(59) and 141(59-1/2) be and they are hereby ordained

in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

141.

(59) No vehicle is permitted to be parked at any time on the west side of Wolfe Street between Lancaster Street and Thames Street.

(59-1/2) No vehicle is permitted to be parked at any time on the east side of Wolfe Street between Lancaster Street and a point 100 feet northerly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1357

(Council No. 2176)

An ordinance to repeal Sections 180(1a) and 180(1b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," as said sections were ordained by Ordinance 1823, approved February 20, 1959, repealing the ordinance which provides for the installation and operation of parking meters on the lower level of St. Paul Place, east side, from Saratoga Street to Lexington Street, and on the west side from Saratoga Street to a point 122 feet northerly from Lexington Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 180(1a) and

180(1b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," as said sections were ordained by Ordinance 1823, approved February 20, 1959, be and they are hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1358

(Council No. 2177)

An ordinance to repeal Section 133(14a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 789 approved May 19, 1961, and to ordain in lieu thereof a new Section 133(14a) to stand in the place of the section so repealed, revising the provisions concerning the parking of vehicles on Oliver Street between Maryland Avenue and Charles Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 133(14a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 789 approved May 19, 1961, and to ordain in lieu thereof a new Section 133(14a) to stand in the place of the section so repealed, and to read as follows:

133.

(14a) No vehicle is permitted to be parked between the hours of 6 A. M. and 6 P. M. on any day on the south side of Oliver Street between Charles Street and Maryland Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1359

(Council No. 2180)

An ordinance to add Section 116(19b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," said new section to follow immediately after Section 116(19a) thereof, making William Street, from Randall Street to Key Highway, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 116(19b) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," said new section to follow immediately after Section 116(19a) thereof, and to read as follows:

116.

(19b) William Street, from Randall Street to Key Highway, is hereby declared to be a one-way street

for vehicular traffic, and shall be used by said traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1360

(Council No. 2181)

An ordinance to add Section 111(13a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," said new section to follow immediately after Section 111(13) thereof, making Riverside Avenue, from Warren Avenue to Randall Street, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111(13a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," said new section to follow immediately after Section 111(13) thereof, and to read as follows:

111.

(13a) Riverside Avenue, from Warren Avenue to Randall Street, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1361

(Council No. 2182)

An ordinance to add Section 95(5a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," said new section to follow immediately after Section 95(5) thereof, making Battery Avenue, from Key Highway to Warren Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 95(5a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "One-Way Streets," said new section to follow immediately after Section 95(5) thereof, and to read as follows:

95.

(5a) Battery Avenue, from Key Highway to Warren Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved October 29, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1362

(Council No. 1923)

An Ordinance to repeal and reordain with amendments sub-sections (b) and (f) of Section 46A of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said section was ordained by Ordinance No. 941, approved July 31, 1961, amending the ordinance with respect to the Certificate of Use required from certain persons who sell or convey real property or a right or interest therein, in order to require that if the said property is one designated and restricted as a "One-family home" under the provisions of said Article 40, a statement to that effect must be included in the Certificate of Use; and correcting an error in the existing law.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That sub-sections (b) and (f) of Section 46A of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said section was ordained by Ordinance No. 941, approved July 31, 1961, be and they are hereby repealed and reordained with amendments to read as follows:

46A.

(b) A Certificate of Use may be obtained from, and shall be issued by the Zoning Commissioner upon proper application being made to him, and the payment of a fee of Three Dollars (\$3.00) for each certificate requested. A separate application shall be made for each individual lot or parcel of property. Each such application shall contain the following information:

(1) A description or definite street location of the property involved, as required by the Zoning Commissioner;

(2) The name and address of the present owner of the property involved;

(3) The present use being made of any and all parts of the property involved;

(4) If the property under the provisions of this Article is one designated and restricted as a "one-family home," so that its use and occupancy are restricted to one family, a statement to that effect.

(f) Except as otherwise provided in sub-section (b) (4) of this Section, nothing contained in this Section shall apply to or affect in any manner any sale or conveyance of real property or any right or interests therein, which (1) is being used exclusively as and for a dwelling of either one family or two families, or (2) is owned by and is being used exclusively for the immediate purposes of a bona fide and regularly operating church or religious organization.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 15, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1363

(Council No. 1924)

An ordinance to repeal and reordain with amendments Sections 14A, 22, 24, 25, 26, 27, 28, 31, 32 and 48 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said Article was revised by Ordinance No. 711, approved May 21, 1953, and as Sections 31 and 32 thereof were amended by Ordinance No. 1162, approved April 4, 1962, revising the Zoning Ordinance of Baltimore City in order to create an E-Restricted Area District fixing and defining the provisions applicable within any E-Restricted Area, amending provisions in the Zoning Ordinance concern-

ing D-9 Area District, including in the Zoning Ordinance certain restrictions applicable to single family habitations, and generally amending the Zoning Ordinance of Baltimore City.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 14A, 22, 24, 25, 26, 27, 28, 31, 32 and 48 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said Article was revised by Ordinance No. 711, approved May 21, 1953, and as Sections 31 and 32 thereof were amended by Ordinance No. 1162, approved April 4, 1962, be and they are hereby repealed and reordained with amendments, to read as follows:

14A. Notwithstanding any provision of this Article, the Board of Municipal and Zoning Appeals may, after public notice and hearing, in its discretion, in a specific case, and subject to the provisions, restrictions, guides, standards and limitations hereinafter set forth, permit in residential buildings in a Residential Use District which are not located in D-Restricted, E, E-Restricted and F Area Districts, other than apartment houses occupied by, or built for occupancy by, ten or more families in D-Restricted, E, E-Restricted and F Area Districts, an office of a physician as hereinafter defined and of a dentist as hereinafter defined.

In considering the Special Exception provided for by this Section 14A, the Board of Municipal and Zoning Appeals shall inspect the premises and shall have a public hearing giving all parties in interest the right to testify as to any material facts in connection with the proposed Special Exception and shall act as a fact-finding body and shall approve or disapprove the issuance of the permit for the proposed Special Exception in accordance with the evidence adduced before it and from its own investigation as to whether or not such proposed Special Exception will menace the public health, safety, security or morals, and as a further guide to its decision upon the facts of the case, the Board of

Municipal and Zoning Appeals shall give consideration to the following:

(1) The population density in the area in the vicinity of the premises for which application for a Special Exception under the provisions of this Section 14A is made indicating a need for the services of a physician or of a dentist, as the case may be, in such area.

(2) The testimony of property owners in the area in the vicinity of the premises indicating a need for the services of a physician or of a dentist, as the case may be, or the absence of testimony of such property owners that there is no such need.

(3) The protection of occupants of buildings from noise, dust and gases caused by traffic.

(4) The conservation of property values.

(5) Any other matters considered to be in the interest of the general welfare.

The Special Exception provided for by this Section 14A shall be further limited as follows:

(a) It shall only be permitted in a building already erected for residential use, and there shall be no substantial change in the exterior of such building which would result in a lack of architectural harmony with adjacent residential buildings.

(b) No advertising sign or device shall be displayed except a flat ornamental, non-illuminated sign, not exceeding one square foot in area, may be placed against the exterior of the building.

(c) The Special Exception shall be limited to the office of a physician and of a dentist and shall not be a clinic or a hospital.

A "physician" is defined for the purposes of this Section 14A to mean a person who is duly licensed to practice medicine and surgery in the State of Maryland pursuant to the provisions of Article 43, Sections 117-134 of the Annotated Code of Maryland

(1951 Edition) and whose license has not been revoked as provided in Article 43, Sections 137 or 144 of the Annotated Code of Maryland (1951 Edition).

With every application or appeal by a physician to obtain a Special Exception, pursuant to this Section 14A, a certified copy or a photostatic copy of the license of the physician to practice medicine and surgery in the State of Maryland shall be filed, and the applicant or appellant shall state in such application or appeal that such license has not been revoked or suspended but is in full force and effect.

A "dentist" is defined for the purpose of this Section 14A to mean a person who is duly licensed to practice dentistry in the State of Maryland, pursuant to the provisions of Article 32, Sections 1-6 of the Annotated Code of Maryland (1951 Edition), and whose license has not been revoked pursuant to Article 32, Section 11 of the Annotated Code of Maryland (1951 Edition).

With every application or appeal of a dentist to obtain a Special Exception, pursuant to this Section 14A, a certified copy or a photostatic copy of the license of the dentist to practice dentistry in the State of Maryland shall be filed and the applicant or appellant shall state in such application or appeal that such license has not been revoked or suspended but is in full force and effect.

Any Special Exception approved by the Board of Municipal and Zoning Appeals pursuant to this Section 14A shall not be impressed with the status of a non-conforming use.

22. For the purpose set forth in Section 1 and considering, also, the design, size and/or location of—

- (a) sanitary and storm water sewers;
- (b) water mains and pipes for fire extinguishment, domestic consumption and manufacturing;
- (c) other mains, pipes, conduits, subways and underground structures;

- (d) fire houses and their equipment;
- (e) police stations with the number of patrolmen and the extent of their posts;
- (f) streets, alleys, bridges and paving;
- (g) schools, parks, playgrounds and other public facilities and requirements; and considering, among other things,
- (h) traffic problems;
- (i) transportation requirements and facilities;
- (j) access of light and air to buildings;
- (k) access for fire and police protection;
- (l) protection of occupants of buildings from noise, dust and gases caused by traffic;
- (m) hazards from fire and disease;
- (n) the use and height districts and regulations established by this ordinance,

as affected by the percentage of lot occupied, by the size and location of yards and other open spaces, and by the density of population, in each of the area districts hereinafter mentioned, the percentage of lot that may be occupied, the size and location of yards and other open spaces and the density of population are hereby regulated and restricted, and the City of Baltimore is divided into nine classes of area districts, namely;

- (1) A Area Districts;
- (2) B Area Districts;
- (3) C Area Districts;
- (4) D Area Districts;
- (5) D-9 Area Districts;
- (6) D-Restricted Area Districts;
- (7) E Area Districts;

(8) E-Restricted Area Districts;

(9) F Area Districts;

as shown on the height and area district map which accompanies this ordinance and which is hereby declared to be part of this ordinance. The area districts designated on said map are hereby established. The area district map designations, lines, figures, letters and symbols shown on said map are hereby declared to be part thereof.

24. For buildings which may hereafter be constructed, extended, altered or occupied, the maximum percentage of area of lot which may be covered, the minimum depth of rear yard and the minimum width of side yard, where required, and the maximum number of families per acre that may be housed on a lot, shall be as set forth in the following table:

25. Section 24, including the table, shall be subject to the following regulations:

A. The maximum number of families which may be housed on any lot shall not exceed the nearest integral number obtained by multiplying the acreage of such lot by the number of families per acre permitted in the area district where such lot is situated, provided, however, that in all cases there shall be at least sufficient area for a single family under the minimum prescribed in the table in Section 24. No building shall be constructed, extended or altered if such building as proposed to be constructed, extended or altered is arranged, intended or designed to be occupied by more than the number of families permitted on the lot.

B. In addition to the family per acre requirements of Sections 24 and 25A, no building may be erected and no existing building may be altered or changed to be used for dwelling purposes or additional family units or apartments unless at least 420 square feet of usable, contiguous floor space in such building is provided for each family housed therein, except that for apartments housing not more than two people at least 240 square feet of

District	A	B	C	D & D-9 ¹	D-Restricted ²	E	E-Restricted	F
Maximum percentage of area of lot which may be occupied by buildings	On an interior lot.	70% for a dwelling 100% for other buildings.	60% for any building.	50% for any building.	40% for any building.	30% for any building in a residential use district. 60% for any building in a first coming in a first commercial use district.	30% for any building in a residential use district. 60% for any building in a first coming in a first commercial use district.	25% for any building in a residential use district. 60% for any building in a first coming in a first commercial use district.
	On a corner lot.	85% for a dwelling 100% for other buildings.	75% for any building.	65% for any building.	40% for any building.	40% for any building in a residential use district. 75% for any building in a first coming in a first commercial use district.	40% for any building in a residential use district. 75% for any building in a first coming in a first commercial use district.	30% for any building in a residential use district. 75% for any building in a first coming in a first commercial use district.
Minimum depth of rear yard required for buildings.	20 feet for dwellings; none required for other buildings.	20 feet for dwellings; none required for other buildings.	22 feet for dwellings; none required for other buildings.	24 feet for dwellings; none required for other buildings.	26 feet for any building.	26 feet for any building.	26 feet for any building.	28 feet for any building.
Maximum number of families per acre that may be housed on a lot	80	80	80	40	20	16	9	6
At least one side yard shall be required for every building in a residential use district which is also in an E, E-Restricted or F area district, and for such buildings the number and width of side yards required shall be as herein specified for detached or semi-detached buildings, respectively. No side yard shall be required for any building in a first commercial use district, which is also in a D-Restricted, E, E-Restricted or F area district.				For a detached building	Two Side Yards, each not less than 10 feet wide.	Two Side Yards, each not less than 10 feet wide.	Two Side Yards, each not less than 10 feet wide.	Two Side Yards, each not less than 10 feet wide.
				For a semi-detached building.	One Side Yard not less than 15 feet wide.	One Side Yard not less than 15 feet wide.	One Side Yard not less than 15 feet wide.	One Side Yard not less than 15 feet wide.

¹For number of dwellings permitted in row and side yard requirements for D-9 Area Districts, see Section 25, sub-section C, page 33

²For type of dwellings permitted and side yard requirements for D-Restricted Area Districts, see Section 25, sub-section D, page 33

usable, contiguous floor space shall be provided. However, in an A, B, C, or D Area district, any existing ordinary two-story dwelling may be used for occupancy by not more than two families, provided there are at least three hundred and fifty square feet of usable, contiguous floor space in such building for each family housed therein; and provided further, that this provision shall be construed so as not to prohibit the renting of a room without housekeeping facilities for use by not more than two persons in an ordinary two-story dwelling.

C. In the D-9 Area District not more than nine attached dwellings (each on a separate lot and each to be occupied by a single family) may be constructed as one group and for each end house of each such group, there shall be a side yard not less than seven feet wide, except that no side yard shall be required for the end house of a group which end house is on the corner of a street or alley, as defined by this Article.

D. In a D-Restricted Area District, at least one side yard shall be required for every building, provided, however, that for a detached building there shall be two side yards each of which shall be not less than ten feet wide; for a semi-detached building there shall be one side yard not less than fifteen feet wide, and for a group house (not less than three and not more than six single family habitations, designed and erected as a unit on a lot) there shall be two side yards, each of which shall be not less than fifteen feet wide.

E. For through lots no rear yard shall be required.

F. In computing the depth of a rear yard abutting on an alley the measurement may include one-half the width of such alley.

G. On a lot less than one hundred feet deep, the depth of a rear yard required may be reduced one per cent for each one foot such lot is less than one hundred feet in depth, provided that such reduction, in no case, shall exceed one-half the required depth.

H. In an A Area District, for a building occupied for a Commercial or Industrial Use on the first floor, and occupied as a dwelling on any floor above the first floor, the rear yard may be computed and located at the level of the second floor, but at an elevation not exceeding fifteen feet, measured from the ground floor of such building.

I. In an A Area District, for a building occupied for a Commercial or Industrial Use on the first floor, and occupied as a dwelling on any floor above the first floor, the percentage of the area of the lot which may be occupied may be computed at the level of the second floor.

J. In computing the width of a side yard abutting on an alley, the measurement may include one-half the width of such alley.

K. Garages and accessory buildings hereafter constructed in D-Restricted, E, E-Restricted and F Area Districts shall not be required to have a rear yard.

L. In an E Area District and in a Residential Use District, in a development containing three acres or more, the side yard required for a semi-detached building shall be not less than ten feet wide.

M. No building less than 16 feet in width, used in any part for dwelling purposes, shall be erected in Baltimore City.

N. Apartment houses designed and erected as a project with singleness of use and operation and with central heating and other facilities (commonly known as garden type apartments), shall be permitted in all area districts without providing a separate lot for each structure or building involved in the project; provided, the area of such project shall cover at least five acres of land; that the number of families to be housed shall comply with the family per acre requirements of Sections 24 and 25 and provided further, that no building or structure shall be constructed nearer than twenty feet from any other building or structure in the project. Where

such projects are constructed in the E, E-Restricted or F Area Districts, no building, garage, parking area or other facility shall be located nearer than 50 feet from any of the property lines of the project. Except as otherwise provided in this sub-section the area and yard requirements for a tract of land to be used for the construction of garden type apartments shall be determined by the regulations for the area district in which such project is to be erected, using the entire project area as a lot or natural subdivisions thereof resulting from the location of streets or alleys within the project area.

26. Front yards shall be required in A and B Area Districts under conditions herein specified and they shall be required also in all C, D, D-9, D-Restricted, E, E-Restricted and F Area Districts, and the depth of required front yard in the several districts shall be as herein provided.

27. In C, D, D-9, D-Restricted, E, E-Restricted and F Area Districts where, at the time of the passage of this ordinance, there are no existing buildings:

(1) on lots fronting on the side of a street between two intersecting streets,

(2) on lots fronting on the side of a street, between two intersecting streets, which street may be laid out after the passage of this ordinance,

buildings shall be provided with front yards, the minimum depth of which shall be determined by the depth of the lot and by the width of the street on which it abuts, and shall be as set forth in the following table:

28. Sections 26 and 27, including the table, shall be subject to the following regulations:

A. In C, D, D-9, D-Restricted, E, E-Restricted and F Area Districts, on a street frontage on a side of a street between two intersecting streets;

1. Where 50% or more of such frontage is improved with buildings for which front yards are

For Streets Over 100 Feet Wide the Required Depth of Front Yard Shall Be the Same as for Streets 100 Feet Wide, in the Several Districts.

C, D AND D-9 AREA DISTRICTS

Width of street in feet as great as	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100
But not as great as	35	40	45	50	55	60	65	70	75	80	85	90	95	100	

Minimum depth of front yard in feet where the average depth of lots is 100 feet or less....	25	22.5	20	17.5	15	14	13	12	11	10	10	10	10	10	10
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Minimum depth of front yard in feet where the average depth of lots is greater than 100 feet, but not greater than 125 feet	30	27.5	25	22.5	20	18	16	14	13	12	11	10	10	10	10
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Minimum depth of front yard in feet where the average depth of lots is greater than 125 feet	35	32.5	30	27.5	25	23	21	19	17	15	14	13	12	11	10
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D-RESTRICTED, E, E-RESTRICTED AND F AREA DISTRICTS

Minimum depth of front yard in feet where the average depth of lots is 125 feet or less....	35	32.5	30	27.5	25	23	21	19	17	15	14	13	12	11	10
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Minimum depth of front yard in feet where the average depth of lots is greater than 125 feet	40	37.5	35	32.5	30	28	26	24	22	20	18	16	14	12	10
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provided the depth of front yards of such existing buildings shall be the required depth of front yards for buildings hereafter constructed, altered or extended, but the required depth shall not be less than 10 feet nor greater than 40 feet;

2. Where 50% or more of such frontage is improved with buildings which have no front yards, no front yard shall be required for the remainder of such frontage;

3. Where sub-sections 1 and 2 of this Section do not clearly establish the front yard requirement for a particular lot or block, such requirement for buildings hereafter constructed, altered or extended shall be determined by application of the table in Section 27 as if there were no buildings on such street frontage on such side of the street.

B. For the purpose of determining the percentage of the frontage that is improved or occupied by buildings, the frontage of so much of the open space adjacent to a building as is used in connection with such building shall be included.

C. The side line of a corner lot shall not be considered as frontage within the meaning of Sections 26, 27, 28 or 29.

31. The following general area regulations and exception shall apply:

A. In computing the percentage of area of lot occupied by a building, the area of the horizontal projection of the entire building shall be used, except that the area of those portions of a building, which, by Sub-sections C, D, E, F, G, H, I and M of this Section 31 are permitted to project into yards, shall not be used and except as provided in Sub-section I of Section 25.

B. Garages and accessory buildings may be constructed in rear yards provided that not more than fifty per cent of the area of a rear yard (computed by multiplying the depth of the required rear yard by the width of the rear yard) is occupied by such

garages and accessory buildings, and the area of the lot that may be occupied, in the aggregate, by a building and garages and accessory buildings, shall be increased by ten per cent of the area of the lot in addition to the maximum percentage of area of lot which may be occupied by buildings, as set forth in the table in Section 24, and further provided that the height of such garages and accessory buildings shall not exceed fifteen feet, measured from the ground floor of such buildings. In E, E-Restricted and F Area Districts garages and accessory buildings hereafter constructed shall be set back not less than ten feet from all street lines.

C. Chimneys and flues may be erected within a rear yard, provided they do not exceed an area of ten square feet, in the aggregate, and do not obstruct ventilation.

D. A fireproof outside stairway or solid floored balcony or a fire tower may project not more than six feet into a rear yard, and an open or lattice enclosed iron fire escape may project not more than eight feet into a rear yard.

E. Ordinary window sills, belt courses, eaves, cornices, and other ornamental features may project into any yard. Fallout shelter hatches not projecting more than eighteen inches above grade and fallout-shelter air vents and filters not projecting more than six feet above grade shall be permitted in any required yard.

F. Ornamental fences and walls shall be permitted in all area districts provided the height of such fences and walls shall not exceed three and one-half feet. An ornamental light post not over six feet in height measured from the ground level, and not nearer than five feet to the front lot line and equipped with a lamp of not over one hundred watt capacity, shall be permitted in all area districts.

G. In A, B, C, D and D-9 Area Districts, an unenclosed porch not more than one story in height

may project not more than eight feet into the front yard, and an enclosed porch not more than one story in height may project not more than eight feet into the front yard, if it is at least three feet from each side line of the lot.

H. In D-Restricted, E, E-Restricted and F Area Districts, enclosed or unenclosed porches not more than one story in height may project not more than ten feet into the front yard.

I. In all area districts an unenclosed porch may project not more than six feet into a rear yard, steps for entrance to a building may project into any yard, and a chimney, oriel or bay may project not more than three feet into any yard.

J. Notwithstanding other provisions of this ordinance pertaining to the number of families per acre, a building may be constructed for and occupied by one family on a lot, the separate identity of which was determined on March 30, 1931.

K. Notwithstanding other area provisions of this ordinance, a garage for not more than one vehicle and not more than 240 square feet in area, may be constructed in the rear yard on any lot on which there is a building, but not a garage, at the time of the passage of this ordinance.

L. In determining the number of families which may be housed on a lot or tract of land under Sub-section A of Section 25 and in determining whether or not a tract of land contains five acres under Sub-section N of Section 25, the area of land designated on an approved sub-division plat or builder's location plat and thereby or thereafter given or dedicated to the Mayor and City Council of Baltimore by the owner, for the purpose of widening a street or alley abutting the lot or tract involved, shall be included in the area of such lot or tract of land.

M. In addition to fallout shelters permitted as accessory buildings under Sub-section B of this Section 31 or permitted as principal buildings or as portions thereof, a fallout shelter of fireproof con-

struction may be constructed in or may project into any required yard provided that any above-grade portion of a shelter constructed under this provision, except a hatch, air vent or filter, is situated entirely beneath a porch as permitted under Sub-sections G, H or I of this section and provided that no portion of any fallout shelter constructed under this provision, whether above or below grade, shall be situated within three feet of any property line. Any fallout shelter permitted under this Sub-section M shall be designed for full-time habitation by human beings for temporary periods and shall be constructed and furnished in accordance with the standards recommended by the United States Office of Civil and Defense Mobilization and the Civil Defense Organization of Baltimore City. Such fallout shelter shall not be used in any part for permanent living quarters during periods when radioactive fallout has not reached hazardous levels.

32. The Board of Municipal and Zoning Appeals may, after public notice and hearing, in its discretion, in a specific case, and subject to the provisions, guides and standards set forth in Section 35(j), and provided front, side, rear yard, percentage of lot requirements and the requirements of Sub-section 25B are complied with, permit:

(a) In E, E-Restricted and F Area Districts, which are in one and one-half times height districts, an apartment house with the maximum number of families permitted in a C Area District;

(b) In an E Area District and in an E-Restricted Area District which is in a forty-foot height district an apartment house, not exceeding four stories in height, to house not more than forty families per acre, and provided that any such apartment house shall be so situated as to be not less than fifty feet from any line of the lot on which it is proposed to be constructed;

(c) In an F Area District, which is in a forty-foot height district, an apartment house, not exceeding five stories in height, to house not more than

sixteen families per acre, and provided that any such apartment house shall be so situated as to be not less than one hundred feet from any line of the lot on which it is proposed to be constructed.

In passing upon applications for permits under this Section, the Board of Municipal and Zoning Appeals shall give consideration to items (a) to (m), inclusive of Section 22.

48. Certain words in this ordinance are defined for the purpose of this ordinance as follows, unless the contrary clearly appears from the context:

(a) All words used in the present tense shall include the future tense. All words used in the plural number shall include the singular number. All words in the singular number shall include the plural number. The word "lot" includes the word "plot". The word "building" includes the word "structure". The word "occupied" includes the words "arranged, intended or designed to be occupied". The word "used" includes the words "arranged, intended or designed to be used". The word "shall" is always mandatory and not directory.

(b) Lot. A lot is a parcel of land now or hereafter laid out and occupied by one building and the accessory buildings or uses customarily or necessarily incident to it, including such open spaces as are required by this ordinance.

(c) Street. The term "street" shall apply to any street thirty feet or over in width.

(d) Alley. The term "alley" shall apply to any street less than thirty feet in width.

(e) Height of Building. The height of a building is the vertical distance measured, in the case of flat roofs, from the mean curb level to the level of the highest point of the roof beams adjacent to the street wall, and, in the case of pitched roofs, from the mean curb level to the mean height level of the roof. Where no roof beams exist, or there are structures wholly or partly above the roof, the height

shall be measured from the mean curb level to the level of the highest point of the building. Where the walls of a building do not adjoin a street, then the height of a building shall be measured from the average elevation of the ground adjoining the walls instead of from the curb level.

(f) Building. An edifice, structure or construction of any kind located or proposed to be located on a lot.

(g) Width of the Street. The mean of the distances between the sides of a street between two intersecting streets.

(h) Corner Lot. A lot of which at least two intersecting sides abut for their full length upon a street.

(i) Interior Lot. A lot other than a corner lot.

(j) Through Lot. An interior lot having frontage on two streets.

(k) Depth of Lot. The dimension measured from the front of the lot to the extreme rear line of the lot. In case of irregularly shaped lots, the mean depth shall be taken.

(l) Yard. The clear, unoccupied space on the same lot with a building required by the provisions of this ordinance.

(m) Front Yard. A clear, unoccupied space on the same lot with a building, extending across the entire width of the lot and situated between the front line of the building and the front line of the lot.

(n) Rear Yard. A clear, unoccupied space on the same lot with a building, extending across the entire width of the lot and situated between the rear line of the building and the rear line of the lot.

(o) Side Yard. A clear, unoccupied space on the same lot with a building and extending for the full length of the building between the building and the side lot line.

(p) Dwelling. The term "dwelling" shall apply to a building used in any part for dwelling purposes, including an apartment house, but not a hotel.

(q) Now. "Now" shall mean at the time of the passage of this ordinance.

(r) Heretofore. "Heretofore" shall mean prior to the time of the passage of this ordinance.

(s) Hereafter. "Hereafter" shall mean after the time of the passage of this ordinance.

(t) Front or Frontage. That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side line of a corner lot.

(u) Group House. Not less than three and not more than six single family habitations, designed and erected as a unit on a lot.

(v) Family. A person living alone, or two or more persons living together as a housekeeping unit, with separate identity from other persons or groups in the same structure, having cooking facilities as a part of the area designated for his or their use. Provided further, that except in D-Restricted and D-9 Area Districts this provision shall be construed so as not to prohibit the renting of a room without housekeeping facilities for use by not more than two persons in an ordinary two-story dwelling. In D-Restricted and D-9-40 areas, rooms without housekeeping facilities may be rented, but the number of rooms so rented shall not exceed one-half of the rooms contained in any structure, nor shall any room rented without housekeeping facilities be occupied by more than one person. For the purposes of this paragraph applicable to D-Restricted and D-9-40 areas, (1) if the computation of fifty per centum (50%) of the rooms of any structure results in a fractional remainder, the fractional remainder shall be dropped and not considered in arriving at the number of rooms legally rentable; and (2) bathrooms and kitchen areas shall not be considered as rooms.

(w) Apartment. One or more rooms occupied or intended for occupancy for one family. Provided further, that this provision shall be construed so as not to prohibit the renting of a room without house-keeping facilities for use by not more than two persons in an ordinary two-story dwelling.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 15, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1364

(Council No. 1931)

An ordinance to repeal and reordain with amendments Section 14 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said section was last amended by Ordinance 1162, approved April 4, 1962, amending the Zoning Ordinance of Baltimore City with particular respect to the granting of special exceptions by the Board of Municipal and Zoning Appeals, concerning uses of certain properties.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 14 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said section was last amended by Ordinance 1162, approved April 4, 1962, be and it is hereby repealed and reordained with amendments to read as follows:

14. The Board of Municipal and Zoning Appeals may, after public notice and hearing, in its discretion in a specific case, and subject to the provisions, restrictions, guides and standards set forth

in Section 35(j), permit, where otherwise excluded or limited, (1) for a period not exceeding two years, in undeveloped sections of the city, temporary structures and uses in contravention of the regulations prescribed for the use district in which such structures or uses are proposed; and (2) the extension of a specific use, existing or proposed, across the dividing line between two use districts for a distance not to exceed 100 feet provided that the use is permitted in the use district which has the lower classification, and provided further that the extension shall not extend across a street, alley, or lot line, and provided still further that the Board of Municipal and Zoning Appeals shall not hold hearings or render a decision on an application for such extension until the application has been referred to the Department of Planning and until the Department of Planning has submitted an advisory report, unless the Department of Planning shall have failed to submit such report within 15 days after receiving the application.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved November 15, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1365

(Council No. 2205)

An ordinance to comply with the regulations of Paragraph 1400(d) of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, in order to permit the construction and use of the premises known generally as 500 West University Parkway, to be used in

part as a garage for the storage of more than three motor vehicles.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the provisions of Paragraph 1400 of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, are complied with in order to permit the construction and use of the premises known generally as 500 West University Parkway in part as a garage for the storage of more than three motor vehicles. Except as in this ordinance specifically provided, all regulations and ordinances of the Mayor and City Council of Baltimore are to be complied with in the construction and use of these premises for the storage of motor vehicles.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1366

(Council No. 2123)

An ordinance authorizing the Comptroller of Baltimore City to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore, in and to the properties known as The Jacobs House at Nos. 7, 9, 11, 13 W. Mount Vernon Place, Baltimore, Maryland. Said properties being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Balti-

more City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore, in and to those properties situate in Baltimore City, State of Maryland, and described as follows:

Beginning for the same at a point on the south side of Mount Vernon Place at the distance of 34 feet 3-1/3 inches easterly from the corner formed by the intersection of the south side of Mount Vernon Place and the east side of Cathedral Street running thence easterly binding on the south side of Mount Vernon Place 120 feet 2 inches thence southerly parallel with Cathedral Street 160 feet to Spring Alley thence westerly binding on the north side of Spring Alley a distance of 120 feet 2 inches, more or less, thence northerly parallel with Cathedral Street 160 feet to the place of beginning.

The improvements thereon being known as Nos. 7, 9, 11, 13 W. Mount Vernon Place.

Being all and the same property described in a deed dated October 3, 1958 from Boumi Temple Corporation to the Mayor and City Council of Baltimore, and recorded among the Land Records of Baltimore City in Liber J.F.C. 464, Folio 357.

Said properties being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved November 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1367

(Council No. 2114)

An ordinance to waive the provisions of Chapter 21 of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, and also to waive any other applicable provisions of the Building Code in order to permit the construction and maintenance of a facing or projection on a store front on the premises known generally as 222-224 North Eutaw Street, all as more particularly described herein.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the provisions of Chapter 21 of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, and also any other applicable provisions of the Building Code, are waived in order to permit the construction and maintenance of a facing or projection on a store front on the premises known generally as 222-224 North Eutaw Street. This waiver permits a projection beyond the building line of from approximately 6 inches to approximately 12 inches. The waiver applies also to a projection from approximately 9 feet 4 inches to approximately 9 feet 10 inches above the sidewalk. Except as in this ordinance specifically provided otherwise, all other ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the erection and maintenance of this store front and projection.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 16, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1368

(Council No. 2172)

An ordinance to waive certain provisions of Paragraph 4811 and of other portions of Article 5 of the Baltimore City Code (1950 Edition), as amended by Ordinance No. 64, approved August 16, 1951, said Article 5 being generally known as the Building Code of Baltimore City, in order to permit the Carr-Lowrey Glass Company to make certain changes in construction in an industrial type building to be erected on its property adjoining on the south its present factory building located on the east side of Kloman Street, and known as 2201-2301 Kloman Street, said property being located in Ward 25, Section 5, Block 7612, and being designated as Lot 6 on the plat of Block 7612, of the Bureau of Plans and Surveys, all as more particularly set forth herein.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the provisions of Paragraph 4811 of Article 5 of the Baltimore City Code (1950 Edition), as amended by Ordinance No. 64, approved August 16, 1951, and also any other pertinent and conflicting provisions of the Building Code of Baltimore City, be and they are hereby waived insofar as they impose a maximum volume of 350,000 cubic feet as increased to 1,400,000 cubic feet when equipped throughout with a sprinkler system for certain types of construction of industrial buildings and require a fire wall between the building to be constructed and the existing building. This waiver shall be effective only as to an industrial type of building to be constructed by the Carr-Lowrey Glass Company on its property adjoining directly on the south its present factory building located on the property on the east side of Kloman Street and known as 2201-2301 Kloman Street, said property being located in Ward 25, Section 5, Block 7612, and being designated as Lot 6, on the plat of Block 7612 of the Bureau of Plans and Surveys,

said additional building to be used for the manufacture of glass containers. Said additional building shall not exceed one story in height with a basement and shall not contain undivided space of a volume greater than 1,700,000 cubic feet.

In place of the provisions so waived an approved Automatic Sprinkler System shall be provided in the building to be erected. There shall also be provided a Draft Curtain made of non-combustible material. This Draft Curtain shall be installed at the roof line between the new and existing buildings and extend downward for a distance of at least six feet. An Automatic Deluge Water Curtain shall be provided on both sides of this Draft Curtain. This Water Curtain shall be designed to meet with the approval of the Building Inspection Engineer of Baltimore City.

Except for the specific provisions of this Ordinance, all other provisions of said Building Code and all other laws and ordinances of Baltimore City applicable thereto shall be observed in the construction of said building.

SEC. 2. *And be it ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1369

(Council No. 1856)

An ordinance to repeal and re-ordain, with amendments, Sections 37 and 37A of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said sections were last amended by Ordinance No. 938 approved July 28, 1961, amending

the zoning ordinance of Baltimore City to provide that certain automobile-washing establishments may be permitted, upon certain conditions, only after a public hearing before the Board of Municipal and Zoning Appeals; to provide for the furnishing of an advisory report by the Department of Planning to said Board in connection with each application for a permit to construct or operate an automobile-washing establishment; to correct an error in the designation of the Department of Transit and Traffic, and relating generally to permission to establish automobile-washing establishments.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Sections 37 and 37A of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as said sections were last amended by Ordinance No. 938 approved July 28, 1961, be and they are hereby repealed and re-ordained, to read as follows:*

37. Board of Municipal and Zoning Appeals—Original Jurisdiction. In addition to the regulations and restrictions set forth in the preceding sections certain uses are further limited so that—

1. A public utility building, which is excluded from a use district by the previous provisions of this Article;

2. A filling station and/or tanks and/or pumps for the sale at wholesale or retail of inflammable liquids in a use district where permitted by the use regulations;

3. A billboard for the display of outdoor advertising or poster boards in a use district where permitted by the use regulations;

4. Storing, killing and dressing of poultry in a use district where permitted by the use regulations;

5. An automobile-washing establishment where automobile-washing is the prime use of the lot, in any use district where permitted by the use regula-

tions, may be permitted only after a public hearing before the Board of Municipal and Zoning Appeals, and compliance with the terms and conditions hereinafter set forth; and

6. An eating and/or drinking establishment on a lot, where such use is the prime use on the lot, in a First Commercial Use District where off-street parking facilities are provided for customers, and where food and/or drinks are consumed in automobiles while they are standing on the lot, may be permitted only after a public hearing before the City Council of Baltimore, and in compliance with the terms and conditions hereinafter set forth.

Provided, however, that:

(a) No building or structure of any kind shall hereafter be erected, altered or used for the sale of gasoline, or any other motor fuel, on any lot or premises where any of the boundaries of such lot or premises are within three hundred (300) feet, measured in a straight line, to the nearest boundary line of any public park, public square, or public playground or to any building or structure used as a church, orphanage, school, theatre or motion picture theatre in the City of Baltimore, or within six hundred (600) feet, measured in a straight line, to the nearest part of any building or structure used as a public hospital in said City.

(b) No billboard or poster board shall be erected within 100 feet, measured in a straight line, between the nearest part of any billboard or poster board and the nearest right-of-way line, of any expressway and no advertising matter shall be painted on walls, fences or other structures where such structures are situated within 100 feet, measured in a straight line, between the nearest part of such structure devoted to such advertising and the nearest right-of-way line, of any expressway. For the purpose of this section, an expressway is a limited access highway designed for high speed thru traffic and approved as such by the Mayor and City Council of Baltimore by ordinance.

(c) No automobile-washing establishment shall be permitted unless reservoir space for at least 10 cars for each washing lane is provided on the same lot on which such establishment is situate.

(d) The Board of Municipal and Zoning Appeals shall not hold the public hearing, heretofore provided for, on any application for an automobile-washing establishment, nor render a decision thereon, until and after such application has been referred to the Department of Planning and said Department has prepared and furnished a written advisory report to said Board in connection with the subject matter of the particular application; provided, however, that in the event such advisory report is not furnished by said Department to said Board within 15 calendar days after said Department has received the particular application involved, then the Board may proceed without such report.

37A. Drinking and/or Eating Establishments.—Notwithstanding any provision of this Article, the Mayor and City Council of Baltimore may provide by ordinance upon such conditions as the Mayor and City Council shall determine for the establishment, maintenance and regulation of eating and/or drinking establishments on a lot in a First Commercial Use District where off-street parking facilities are provided for customers and where food and/or drinks are consumed in automobiles while they are standing on the lot, when such establishments would benefit the health, safety or general welfare of the community.

No such ordinance shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen days' notice of the time and place of such hearing shall be published once a week for two weeks in a daily newspaper published in the City and the posting of a similar notice upon the area proposed to be used for such establishments.

Upon the introduction of an ordinance for such an establishment, as provided in this paragraph, it shall immediately be referred to—

(a) The Board of Fire Commissioners, for investigation, recommendation and report as to the fire hazards involved;

(b) The Department of Transit and Traffic, for investigation, recommendation and report as to the traffic hazards involved:

(c) The Planning Commission, for investigation, recommendation and report as to any future public use of the property involved and its relationship to traffic conditions.

(d) For the information of the agencies to which the ordinance is to be referred, there shall be attached four (4) copies of a plat, drawn to a scale of one inch to two hundred feet, showing the area to be used for such an establishment outlined in red.

(e) The premises shall be posted with a sign which shall not be less than four (4) feet long and three (3) feet high, with black lettering not less than two (2) inches high, on a white background. The sign must be placed in a conspicuous manner where it will be clearly visible and legible to the public.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1370

(Council No. 1882)

An ordinance to condemn and open, Certain Streets and Alleys lying within the area bounded by

Madison Avenue, Lanvale Street, Eutaw Place, Lafayette Avenue, Mason Street and Dolphin Street, in accordance with a plat thereof numbered 290-A-1, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twelfth (12th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn, open, Certain Streets and Alleys lying within the area bounded by Madison Avenue, Lanvale Street, Eutaw Place, Lafayette Avenue, Mason Street and Dolphin Street, in accordance with a plat thereof numbered 290-A-1, prepared by the Bureau of Surveys and filed in the Office of the Department of Assessments, on the Twelfth (12th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to six on said plat and described as follows:

1. Linden Avenue, 66 feet wide, in two sections and running southeasterly from Lafayette Avenue 330.01 feet to Lanvale Street and southeasterly from Lanvale Street 327.15 feet to Dolphin Street, as proposed 100 feet wide and designated as No. 1 on said plat.

2. An Alley, 10 feet wide, 100.0 feet northwest of Lanvale Street and running southwesterly from Linden Avenue 130.0 feet to Jordan Street and designated as No. 2 on said plat.

3. An Alley, 7 feet wide, 97.0 feet southeast of Lanvale Street and running southwesterly from Linden Avenue 130.0 feet to Jordan Street and designated as No. 3 on said plat.

4. Jordan Street, 18 feet wide, and running southeasterly from Lanvale Street 153.27 feet and designated as No. 4 on said plat.

5. An Alley, 5 feet wide, 50.0 feet southeast of Lanvale Street and running northeasterly from Madison Avenue 130.0 feet to Morris Street and designated as No. 5 on said plat.

6. An Alley, 5 feet wide, 95.0 feet northeast of Madison Avenue and running northwesterly from a point 33.34 feet northwest of Dolphin Street, or the northwest side of Dolphin Street, as proposed 100 feet wide, 66.67 feet to the end thereof and designated as No. 6 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twelfth (12th) day of March in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1371

(Council No. 1883)

An ordinance to condemn and close Certain Streets and Alleys lying within the area bounded by Madison Avenue, Lanvale Street, Eutaw Place, Lafayette Avenue, Mason Street and Dolphin Street, in accordance with a plat thereof numbered 290-A-1A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments on the Thirteenth (13th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Certain Streets and Alleys lying within the area bounded by Madison Avenue, Lanvale Street, Eutaw Place, Lafayette Avenue, Mason Street and Dolphin Street, in accordance with a plat thereof numbered 290-A-1A, prepared by the Bureau of Surveys and filed in the Office of the Department of Assessments, on the Thirteenth (13th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to six on said plat and described as follows:

1. Linden Avenue, 66 feet wide, in two sections and running southwesterly from Lafayette Avenue 330.01 feet to Lanvale Street and southeasterly from Lanvale Street 327.15 feet to Dolphin Street, as proposed 100 feet wide and designated as No. 1 on said plat.

2. An Alley, 10 feet wide, 100.0 feet northwest of Lanvale Street and running southwesterly from Linden Avenue 130.0 feet to Jordan Street and designated as No. 2 on said plat.

3. An Alley, 7 feet wide, 97.0 feet southeast of Lanvale Street and running southwesterly from Linden Avenue 130.0 feet to Jordan Street and designated as No. 3 on said plat.

4. Jordan Street, 18 feet wide, and running southeasterly from Lanvale Street 153.27 feet and designated as No. 4 on said plat.

5. An Alley, 5 feet wide, 50.0 feet southeast of Lanvale Street and running northeasterly from Madison Avenue 130.0 feet to Morris Street and designated as No. 5 on said plat.

6. An Alley, 5 feet wide, 95.0 feet northeast of Madison Avenue and running northwesterly from a point 33.34 feet northwest of Dolphin Street, or the northwest side of Dolphin Street, as proposed 100 feet wide, 66.67 feet to the end thereof and designated as No. 6 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Thirteenth (13th) day of March in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the

same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1372

(Council No. 1899)

An ordinance to condemn and open Certain Streets and Alleys lying within the area bounded by Madison Avenue, McMechen Street, Mason Street and Lafayette Avenue in accordance with a plat thereof numbered 290-A-1B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Department of Assessments be, and they are hereby authorized and directed to condemn and open Certain Streets and Alleys lying within the area bounded by Madison Avenue, McMechen Street, Mason Street and Lafayette Avenue, in accordance with a plat thereof numbered 290-A-1B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to thirteen on said plat and described as follows:

1. Mosher Street, 66 feet wide, in three sections, and running southwesterly from Mason Street 150.0 feet to Linden Avenue, southwesterly from Linden Avenue 130.0 feet to Jordan Street and southwesterly from Eutaw Place 120.0 feet to Morris Street and designated as No. 1 on said plat.

2. Linden Avenue, 66 feet wide, and running southeasterly from McMechen Street 726.0 feet to Lafayette Avenue and designated as No. 2 on said plat.

3. Morris Street, 20 feet wide, and running southeasterly from McMechen Street 330.0 feet to Mosher Street and designated as No. 3 on said plat.

4. Jordan Street, 20 feet wide, and running south-

easterly from McMechen Street 129.67 feet and designated as No. 4 on said plat.

5. An Alley, 4 feet wide, 77.92 feet southwest of Eutaw Place and running southeasterly from McMechen Street 50.17 feet to the end thereof and designated as No. 5 on said plat.

6. An Alley, 15 feet wide, 95.0 feet southeast of McMechen Street and running northeasterly from Jordan Street, 30.0 feet to a 10 foot Alley and designated as No. 6 on said plat.

7. An Alley, 10 feet wide, 90.0 feet southwest of Linden Avenue and running southeasterly from McMechen Street 110.0 feet to the end thereof and designated as No. 7 on said plat.

8. An Alley, 3 feet wide, 52.0 feet northwest of Mosher Street and running northeasterly from Jordan Street 58.0 feet to a 3 foot Alley and designated as No. 8 on said plat.

9. An Alley, 3 feet wide, 69.0 feet southwest of Linden Avenue and running northwesterly from Mosher Street 55.0 feet to the end thereof and designated as No. 9 on said plat.

10. An Alley, 4 feet wide, 96.0 feet southwest of Linden Avenue and running southeasterly from Mosher Street 21.67 feet to the end thereof and designated as No. 10 on said plat.

11. An Alley, 6 feet wide, 94.0 feet northwest of Mosher Street and running southwesterly from Mason Street 36.0 feet to a 6 foot Alley and designated as No. 11 on said plat.

12. An Alley, 6 feet wide, 108.0 feet northeast of Linden Avenue and running northwesterly from Mosher Street 100.0 feet to the end thereof and designated as No. 12 on said plat.

13. An Alley, 7.75 feet wide, 100.67 feet northeast of Linden Avenue and running southeasterly from Mosher Street 116.25 feet to the end thereof and designated as No. 13 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-sixth (26th) day of March in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1373

(Council No. 1900)

An ordinance to condemn and close Certain Streets and Alleys lying within the area bounded by Madison Avenue, McMechen Street, Mason Street and Lafayette Avenue in accordance with a plat thereof numbered 290-A-1C, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments on the Twenty-seventh (27th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Certain Streets and Alleys lying within the area bounded by Madison Avenue, McMechen Street, Mason Street and Lafayette Avenue, in accordance with a plat thereof numbered 290-A-1C, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to thirteen on said plat and described as follows:

1. Mosher Street, 66 feet wide, in three sections, and running southwesterly from Mason Street 150.0 feet to Linden Avenue, southwesterly from Linden Avenue 130.0 feet to Jordan Street and southwest-erly from Eutaw Place 120.0 feet to Morris Street and designated as No. 1 on said plat.

2. Linden Avenue, 66 feet wide, and running southeasterly from McMechen Street 726.0 feet to Lafayette Avenue and designated as No. 2 on said plat.

3. Morris Street, 20 feet wide, and running south-easterly from McMechen Street 330.0 feet to Mosher Street and designated as No. 3 on said plat.

4. Jordan Street, 20 feet wide, and running south-easterly from McMechen Street 129.67 feet and des-ignated as No. 4 on said plat.

5. An Alley, 4 feet wide, 77.92 feet southwest of Eutaw Place and running southeasterly from Mc-Mechen Street 50.17 feet to the end thereof and designated as No. 5 on said plat.

6. An Alley, 15 feet wide, 95.0 feet southeast of McMechen Street and running northeasterly from Jordan Street, 30.0 feet to a 10 foot Alley and designated as No. 6 on said plat.

7. An Alley, 10 feet wide, 90.0 feet southwest of Linden Avenue and running southeasterly from

McMechen Street 110.0 feet to the end thereof and designated as No. 7 on said plat.

8. An Alley, 3 feet wide, 52.0 feet northwest of Mosher Street and running northeasterly from Jordan Street 58.0 feet to a 3 foot Alley and designated as No. 8 on said plat.

9. An Alley, 3 feet wide, 69.0 feet southwest of Linden Avenue and running northwesterly from Mosher Street 55.0 feet to the end thereof and designated as No. 9 on said plat.

10. An Alley, 4 feet wide, 96.0 feet southwest of Linden Avenue and running southeasterly from Mosher Street 21.67 feet to the end thereof and designated as No. 10 on said plat.

11. An Alley, 6 feet wide, 94.0 feet northwest of Mosher Street and running southwesterly from Mason Street 36.0 feet to a 6 foot Alley and designated as No. 11 on said plat.

12. An Alley, 6 feet wide, 108.0 feet northeast of Linden Avenue and running northwesterly from Mosher Street 100.0 feet to the end thereof and designated as No. 12 on said plat.

13. An Alley, 7.75 feet wide, 100.67 feet northeast of Linden Avenue and running southeasterly from Mosher Street 116.25 feet to the end thereof and designated as No. 13 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-seventh (27th) day of March in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of

Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and Alleys and the proceedings and rights

of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1374

(Council No. 1903)

An ordinance to condemn and open Certain Streets and Alleys, lying within the area bounded by Russell Street, Hamburg Street, Eutaw Street and Ostend Street, in accordance with a plat thereof numbered 225-A-8B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open Certain Streets and Alleys lying within the area bounded by Russell Street, Hamburg Street, Eutaw Street and Ostend Street, in accordance with a plat thereof numbered 225-A-8B, prepared by the Bureau of Surveys, and filed in the office of the Department of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office; the said streets and

alleys are numbered from one to thirty-seven on said plat and described as follows:

1. Warner Street, 66 feet wide, in three sections, and running northeasterly from Ostend Street 330.75 feet to West Street, northeasterly from West Street 330.62 feet to Cross Street and northeasterly from Cross Street 331.0 feet to Hamburg Street and designated as No. 1 on said plat.

2. West Street, 66 feet wide, and running northwesterly from Eutaw Street 652.38 feet to Russell Street and designated as No. 2 on said plat.

3. Fremont Avenue, 50 feet wide, in two sections, and running northerly from Eutaw Street 421.39 feet to Warner Street and northerly from Warner Street 26.21 feet to Hamburg Street and designated as No. 3 on said plat.

4. China Street, 20 feet wide, in four sections and running northeasterly from Ostend Street 329.82 feet to West Street, northeasterly from West Street 330.88 feet to Cross Street, northeasterly from Cross Street 128.39 feet to Fremont Avenue and northeasterly from Fremont Avenue 135.96 feet to Hamburg Street and designated as No. 4 on said plat.

5. Briscoe Street, varying in width from 18.83 feet to 30.0 feet, in three sections, and running northeasterly from Ostend Street 331.50 feet to West Street, northeasterly from West Street 331.42 feet to Cross Street and northeasterly from Cross Street 330.0 feet to Hamburg Street and designated as No. 5 on said plat.

6. An Alley, 3 feet wide, 63.0 feet southwest of West Street and running northwesterly from Briscoe Street 84.76 feet to Russell Street and designated as No. 6 on said plat.

7. An Alley, 10 feet wide, 65.0 feet southeast of Briscoe Street and running southwesterly from a 10 foot Alley 66.0 feet southwest of West Street 89.5 feet to the end thereof and designated as No. 7 on said plat.

8. An Alley, 10 feet wide, 66.0 feet southwest of West Street and running southeasterly from Briscoe Street 75.0 feet to the end thereof and designated as No. 8 on said plat.

9. An Alley, 4 feet wide, 67.0 feet southeast of Warner Street and running southwesterly from West Street 72.5 feet to the end thereof and designated as No. 9 on said plat.

10. An Alley, 6 feet wide, 66.5 feet southwest of West Street and running northwesterly from China Street, 84.25 feet to a 4 foot Alley and designated as No. 10 on said plat.

11. An Alley, 3 feet wide, 68.0 feet northwest of Eutaw Street and running northeasterly from Ostend Street 66.0 feet to the end thereof and designated as No. 11 on said plat.

12. An Alley, 3 feet wide, 63.0 feet northeast of Ostend Street and running northwesterly from a 3 foot Alley 68.0 feet northwest of Eutaw Street 60.0 feet to the end thereof and designated as No. 12 on said plat.

13. An Alley, 20.0 feet wide, 80 feet southwest of Cross Street and running northwesterly from Briscoe Street 81.5 feet to Russell Street and designated as No. 13 on said plat.

14. An Alley, 3 feet wide, 60.0 feet northeast of West Street and running southeasterly from Russell Street, 48.0 feet to the end thereof and designated as No. 14 on said plat.

15. An Alley, 3 feet wide, 72.0 feet northeast of West Street and running northwesterly from China Street 30.0 feet to the end thereof and designated as No. 15 on said plat.

16. An Alley, 10 feet wide, 65.0 feet northeast of West Street and running southeasterly from Briscoe Street 85.29 feet to a 10 foot Alley and designated as No. 16 on said plat.

17. An Alley, 3 feet wide, 58.0 feet southeast

of Briscoe Street and running northeasterly from a 10 foot Alley 65.0 feet northeast of West Street, 57.0 feet to the end thereof and designated as No. 17 on said plat.

18. An Alley, 10 feet wide, 60.0 feet northwest of Warner Street and running northeasterly from West Street 132.0 feet to the southwest end of a 3 foot Alley and designated as No. 18 on said plat.

19. An Alley, 3 feet wide, 61.5 feet southeast of Briscoe Street and running southwesterly from a 10 foot Alley 63.0 feet southwest of Cross Street, 126.42 feet to the end thereof and designated as No. 19 on said plat.

20. An Alley, 3 feet wide, 155.0 feet northwest of Warner Street and running southwesterly from a 10 foot Alley, 63 feet southwest of Cross Street, 126.37 feet to the northeast end of a 3 foot Alley and designated as No. 20 on said plat.

21. An Alley, 10 feet wide, 63.0 feet southwest of Cross Street and running northwesterly from Warner Street 155.0 feet to Briscoe Street and designated as No. 21 on said plat.

22. An Alley, 10 feet wide, 62.0 feet southwest of Cross Street and running southeasterly from Warner Street 155.0 feet to China Street and designated as No. 22 on said plat.

23. An Alley, 10 feet wide, 80.0 feet northwest of China Street and running southwesterly from a 10 foot Alley 62.0 feet southwest of Cross Street, 48.0 feet to the northeast end of a 4 foot Alley and designated as No. 23 on said plat.

24. An Alley, 4 feet wide, 80.0 feet northwest of China Street and running southwesterly from the southwest end of a 10 foot Alley that extends southwest 48.0 feet from another 10 foot Alley 62 feet southwest of Cross Street, 12 feet to the end thereof and designated as No. 24 on said plat.

25. An Alley, 8 feet wide, 66.0 feet northeast

of Cross Street and running northwesterly from Briscoe Street 75.0 feet to the end thereof and designated as No. 25 on said plat.

26. An Alley, 10 feet wide, 65.0 feet northwest of Briscoe Street and running northeasterly from an 8 foot Alley, 66 feet northeast of Cross Street, 116.0 feet to an 8 foot Alley and designated as No. 26 on said plat.

27. An Alley, 8 feet wide, 190.0 feet northeast of Cross Street and running northwesterly 75.0 feet to the end thereof and designated as No. 27 on said plat.

28. An Alley, 5 feet wide, 70.0 feet northwest of Briscoe Street and running southwesterly from a 4 foot Alley 66.0 feet southwest of Hamburg Street, 66.0 feet to an 8 foot Alley and designated as No. 28 on said plat.

29. An Alley, 4 feet wide, 66.0 feet southwest of Hamburg Street and running northwesterly from Briscoe Street 100.67 feet to Russell Street and designated as No. 29 on said plat.

30. An Alley, 10 feet wide, 64.0 feet northeast of Cross Street and running northwesterly from Warner Street, 145.75 feet to Briscoe Street and designated as No. 30 on said plat.

31. An Alley, 5.67 feet wide, 75.0 feet northwest of Warner Street and running northeasterly from a 10 foot Alley, 64.0 feet northeast of Cross Street, 181.43 feet to a 4 foot Alley and designated as No. 31 on said plat.

32. An Alley, 4 feet wide, 72.0 feet southwest of Hamburg Street and running southeasterly from Briscoe Street 152.66 feet to Warner Street and designated as No. 32 on said plat.

33. An Alley, 3 feet wide, 68.5 feet southeast of Warner Street and running northeasterly from a 3 foot Alley 60.0 feet northeast of Cross Street, 24.0 feet to the end thereof and designated as No. 33 on said plat.

34. An Alley, 3 feet wide, 60 feet northeast of Cross Street and running southeasterly from Warner Street, 155.0 feet to China Street and designated as No. 34 on said plat.

35. An Alley, 3 feet wide, 63.0 feet southwest of Hamburg Street and running southeasterly from China Street 82.0 feet to a 3 foot Alley and designated as No. 35 on said plat.

36. An Alley, 3 feet wide, 70.0 feet northwest of Eutaw Street and running southwesterly from Hamburg Street, 116.0 feet to the end thereof and designated as No. 36 on said plat.

37. An Alley, 3 feet wide, 60.0 feet southwest of Hamburg Street and running northwesterly from China Street, 53.0 feet to the end thereof and designated as No. 37 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-sixth (26th) day of March in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1375

(Council No. 1904)

An ordinance to condemn and close Certain Streets and Alleys, lying within the area bounded by Russell Street, Hamburg Street, Eutaw Street and Ostend Street, in accordance with a plat thereof numbered 225-A-8C, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Certain Streets and Alleys lying within the area bounded by Russell Street, Hamburg Street, Eutaw Street and Ostend Street, in accordance with a plat thereof numbered 225-A-8C, prepared by the Bureau of Surveys and filed in the office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office; the said streets and alleys are numbered from one to thirty-five on said plat and described as follows:

1. Warner Street, 66 feet wide, in three sections, and running northeasterly from Ostend Street 330.75 feet to West Street, northeasterly from West Street, 330.62 feet to Cross Street and northeasterly from Cross Street, as proposed to be widened, 273.0 feet to Hamburg Street, as proposed to be widened, and designated as No. 1 on said plat.

2. West Street, 66 feet wide, and running northwesterly from Eutaw Street, 613.38 feet to Russell Street, as proposed to be widened, and designated as No. 2 on said plat.

3. Fremont Avenue, 50 feet wide, in two sections, and running northerly from Cross Street, as proposed to be widened, 377.87 feet to Warner Street and northerly from Warner Street 13.0 feet to

Hamburg Street, as proposed to be widened, and designated as No. 3 on said plat.

4. China Street, 20 feet wide, in four sections, and running northeasterly from Ostend Street 329.82 feet to West Street, northeasterly from West Street 330.88 feet to Cross Street, northeasterly from Cross Street, as proposed to be widened 79.39 feet to Fremont Avenue and northeasterly from Fremont Avenue 126.96 feet to Hamburg Street, as proposed to be widened, and designated as No. 4 on said plat.

5. Briscoe Street, varying in width from 18.83 feet to 30 feet, in three sections, and running northeasterly from Ostend Street 331.50 feet to West Street, northeasterly from West Street 331.42 feet to Cross Street and northeasterly from Cross Street, as proposed to be widened, 272.0 feet to Hamburg Street, as proposed to be widened, and designated as No. 5 on said plat.

6. An Alley, 3 feet wide, 63.0 feet southwest of West Street and running northwesterly from Briscoe Street 42.76 feet to Russell Street, as proposed to be widened, and designated as No. 6 on said plat.

7. An Alley, 10 feet wide, 65.0 feet southeast of Briscoe Street and running southwesterly from a 10 foot Alley 66.0 feet southwest of West Street 89.5 feet to the end thereof and designated as No. 7 on said plat.

8. An Alley, 10 feet wide, 66.0 feet southwest of West Street and running southeasterly from Briscoe Street 75.0 feet to the end thereof and designated as No. 8 on said plat.

9. An Alley, 4 feet wide, 67.0 feet southeast of Warner Street and running southwesterly from West Street 72.5 feet to the end thereof and designated as No. 9 on said plat.

10. An Alley, 6 feet wide, 66.5 feet southwest of West Street and running northwesterly from China Street 84.25 feet to a 4 foot Alley and designated as No. 10 on said plat.

11. An Alley, 3 feet wide, 68.0 feet northwest of Eutaw Street and running northeasterly from Ostend Street 66.0 feet to the end thereof and designated as No. 11 on said plat.

12. An Alley, 3 feet wide, 63.0 feet northeast of Ostend Street and running northwesterly from a 3 foot Alley 68.0 feet northwest of Eutaw Street 60.0 feet to the end thereof and designated as No. 12 on said plat.

13. An Alley, 20 feet wide, 80 feet southwest of Cross Street and running northwesterly from Briscoe Street 39.5 feet to Russell Street, as proposed to be widened, and designated as No. 13 on said plat.

14. An Alley, 3 feet wide, 60.0 feet northeast of West Street and running southeasterly from Russell Street, as proposed to be widened, 12.0 feet to the end thereof and designated as No. 14 on said plat.

15. An Alley, 3 feet wide, 72.0 feet northeast of West Street and running northwesterly from China Street 30.0 feet to the end thereof and designated as No. 15 on said plat.

16. An Alley, 10 feet wide, 65.0 feet northeast of West Street and running southeasterly from Briscoe Street 85.29 feet to a 10 foot Alley and designated as No. 16 on said plat.

17. An Alley, 3 feet wide, 58.0 feet southeast of Briscoe Street and running northeasterly from a 10 foot Alley 65.0 feet northeast of West Street, 57.0 feet to the end thereof and designated as No. 17 on said plat.

18. An Alley, 10 feet wide, 60.0 feet northwest of Warner Street and running northeasterly from West Street 132.0 feet to the southwest end of a 3 foot Alley and designated as No. 18 on said plat.

19. An Alley, 3 feet wide, 61.5 feet southeast of Briscoe Street and running southwesterly from

a 10 foot Alley 63.0 feet southwest of Cross Street, 126.42 feet to the end thereof and designated as No. 19 on said plat.

20. An Alley, 3 feet wide, 155.0 feet northwest of Warner Street and running southwesterly from a 10 foot Alley, 63 feet southwest of Cross Street, 126.37 feet to the northeast end of a 3 foot Alley and designated as No. 20 on said plat.

21. An Alley, 10 feet wide, 63.0 feet southwest of Cross Street and running northwesterly from Warner Street 155.0 feet to Briscoe Street and designated as No. 21 on said plat.

22. An Alley, 10 feet wide, 62.0 feet southwest of Cross Street and running southeasterly from Warner Street 155.0 feet to China Street and designated as No. 22 on said plat.

23. An Alley, 10 feet wide, 80.0 feet northwest of China Street and running southwesterly from a 10 foot Alley 62.0 feet southwest of Cross Street, 48.0 feet to the northeast end of a 4 foot Alley and designated as No. 23 on said plat.

24. An Alley, 4 feet wide, 80.0 feet northwest of China Street and running southwesterly from the southwest end of a 10 foot Alley, that extends southwest 48.0 feet from another 10 foot Alley 62 feet southwest of Cross Street, 12 feet to the end thereof and designated as No. 24 on said plat.

25. An Alley, 8 feet wide, 66.0 feet northeast of Cross Street and running northwesterly from Briscoe Street 33.0 feet to Russell Street, as proposed to be widened, and designated as No. 25 on said plat.

26. An Alley, 8 feet wide, 190.0 feet northeast of Cross Street and running northwesterly from Briscoe Street 38.17 feet to Russell Street, as proposed to be widened, and designated as No. 26 on said plat.

27. An Alley, 4 feet wide, 66.0 feet southwest

of Hamburg Street and running northwesterly from Briscoe Street 38.17 feet to Russell Street, as proposed to be widened, and designated as No. 27 on said plat.

28. An Alley, 10 feet wide, 64.0 feet northeast of Cross Street and running northwesterly from Warner Street 145.75 feet to Briscoe Street and designated as No. 28 on said plat.

29. An Alley, 5.67 feet wide, 75.0 feet northwest of Warner Street and running northeasterly from a 10 foot Alley 64.0 feet northeast of Cross Street 181.43 feet to a 4 foot Alley and designated as No. 29 on said plat.

30. An Alley, 4 feet wide, 72.0 feet southwest of Hamburg Street and running southeasterly from Briscoe Street, 152.66 feet to Warner Street and designated as No. 30 on said plat.

31. An Alley, 3 feet wide, 68.5 feet southeast of Warner Street and running northeasterly from a 3 foot Alley 60.0 feet northeast of Cross Street, 24.0 feet to the end thereof and designated as No. 31 on said plat.

32. An Alley, 3 feet wide, 60 feet northeast of Cross Street and running southeasterly from Warner Street, 155.0 feet to China Street and designated as No. 32 on said plat.

33. An Alley, 3 feet wide, 63.0 feet southwest of Hamburg Street and running southeasterly from China Street 82.0 feet to a 3 foot Alley and designated as No. 33 on said plat.

34. An Alley, 3 feet wide, 70 feet northwest of Eutaw Street and running southwesterly from Hamburg Street, as proposed to be widened, 107.0 feet to the end thereof and designated as No. 34 on said plat.

35. An Alley, 3 feet wide, 60 feet southwest of Hamburg Street and running northwesterly from China Street, 53.0 feet to the end thereof and designated as No. 35 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-seventh (27th) day of March in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained*, That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained*, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its

duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1376

(Council No. 1990)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes,

namely, for the opening, widening, grading, construction and maintenance of Reisterstown Road, varying in width from 94 feet to 80 feet from the Western Boundary of Baltimore City established 1918, southeasterly to 118.8 feet southeast of Patterson Avenue; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Reisterstown Road; and authorizing the making of all necessary agreements concerning said Reisterstown Road; and authorizing the construction of said Reisterstown Road; the location and course of said Reisterstown Road being shown on a plat thereof numbered 185-A-27, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Fourteenth (14th) day of May, 1962.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That it is necessary to acquire by purchase or condemnation for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of Reisterstown Road varying in width from 94 feet to 80 feet from the Western Boundary of Baltimore City established 1918, southeasterly to 118.8 feet southeast of Patterson Avenue; the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for the first parcel thereof at the point formed by the intersection of the Western Boundary of Baltimore City established 1918, and the southwest side of Reisterstown Road, as originally laid out 66 feet wide and running thence binding on the southwest side of said Reisterstown Road South $47^{\circ}-40'-05''$ East 229.97 feet to intersect the northwest side of an Alley, 16 feet wide, laid out parallel with and distant 100 feet northwesterly from Fall-

staff Road; thence binding on the northwest side of said Alley, South $42^{\circ}-15'-25''$ West 4.02 feet to intersect the southwest side of Reisterstown Road, 80 feet wide, as authorized under Ordinance No. 831, approved March 12, 1923; thence binding on the southwest side of said last mentioned Reisterstown Road, 80 feet wide, North $47^{\circ}-28'-20''$ West 227.03 feet to intersect said Western Boundary of Baltimore City and thence binding on said Western Boundary of Baltimore City Due North 4.38 feet to the place of beginning.

Beginning for the second parcel thereof at the point formed by the intersection of the southwest side of Reisterstown Road, as originally laid out 66 feet wide, and the northwest side of Brookhill Road, 50 feet wide, and running thence binding on the northwest side of said Brookhill Road South $43^{\circ}-43'-54''$ West 28.00 feet to intersect a line drawn parallel with and distant 28.00 feet southwesterly, measured at right angles from the southwest side of said Reisterstown Road, 66 feet wide; thence binding on said line so drawn North $44^{\circ}-49'-10''$ West 166.10 feet to intersect the northwest side of Labyrinth Road, 50 feet wide; thence binding on the northwest side of said Labyrinth Road North $43^{\circ}-43'-27''$ East 28.00 feet to intersect the southwest side of said Reisterstown Road, 66 feet wide, and thence binding on the southwest side of said Reisterstown Road South $44^{\circ}-49'-10''$ East 166.10 feet to the place of beginning.

Beginning for the third parcel thereof at the point formed by the intersection of the northeast side of Reisterstown Road, 66 feet wide, and a line drawn parallel with and distant 94 feet northeasterly, measured at right angles from the southwest side of Reisterstown Road, as now laid out, said point being distant North $44^{\circ}-49'-10''$ West 352.38 feet from the corner formed by the intersection of said line drawn parallel with and distant 94 feet northeasterly from the southwest side of Reisterstown Road, as now laid out, and the north-

west side of Clarks Lane, 80 feet wide, and running thence binding on lines drawn parallel with and distant 94 feet northeasterly from the southwest side of said Reisterstown Road, 94 feet wide, the two following courses and distances, namely, South $44^{\circ}-49'10''$ East 788.32 feet and South $46^{\circ}-11'-20''$ East 244.10 feet to intersect the northwest side of an Alley, 15 feet wide, there situate; thence binding on the northwest side of said Alley South $45^{\circ}-07'-53''$ West 8.01 feet to intersect the northeast side of said Reisterstown Road, 66 feet wide, and thence binding on the northeast side of said Reisterstown Road, 66 feet wide, the two following courses and distances, namely, North $45^{\circ}-26'-45''$ West 400.00 feet and North $44^{\circ}-13'-32''$ West 632.42 feet to the place of beginning.

Beginning for the fourth parcel thereof at the point formed by the intersection of the northwest side of Patterson Avenue, 40 feet wide, and the southwest side of Reisterstown Road, as originally laid out 66 feet wide, and running thence binding on the southwest side of said Reisterstown Road South $46^{\circ}-38'-50''$ East 158.80 feet to intersect the southeast outline of Seton Institute property; thence binding on part of the southeast outline of said Seton Institute property South $36^{\circ}-02'-10''$ West 9.55 feet; thence binding on the southwest side of Reisterstown Road, as proposed to be widened, the two following courses and distances, namely, North $53^{\circ}-24'-00''$ West 119.12 feet and North $46^{\circ}-11'-20''$ West 40.11 feet to intersect the northwest side of said Patterson Avenue and thence binding on the northwest side of said Patterson Avenue North $39^{\circ}-22'-00''$ East 23.21 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance

of said Reisterstown Road, the location and course of said Reisterstown Road being shown on a plat thereof numbered 185-A-27, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Fourteenth (14th) day of May, 1962.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained,* That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Reisterstown Road. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said Reisterstown Road Project.

SEC. 3. *And be it further ordained*, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained*, That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said Reisterstown Road Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said Reisterstown Road Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1377

(Council No. 1901)

An ordinance to condemn and open Certain Streets and Alleys lying within the area bounded by Washington Boulevard, Paca Street, Camden Street, Eutaw Street, Barre Street and Russell Street, in accordance with a plat thereof numbered 225-A-8, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open Certain Streets and Alleys lying within the area bounded by Washington Boulevard, Paca Street, Camden Street, Eutaw Street, Barre Street and Russell Street, in accordance with a plat thereof numbered 225-A-8, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to forty-five on said plat and described as follows:

1. Paca Street, varying in width from 60 feet to 80 feet and running northeasterly and northerly from Russell Street 621.0 feet to Camden Street and designated as No. 1 on said plat.

2. Conway Street, 60 feet wide, and running northeasterly from Russell Street 835.38 feet to Eutaw Street and designated as No. 2 on said plat.

3. Barre Street, 60 feet wide, and running northeasterly from Russell Street, 825.20 feet to Eutaw Street and designated as No. 3 on said plat.

4. Eislén Street, 20 feet wide, in two sections, and running northeasterly from Russell Street 48.5 feet to Greene Street and northeasterly from Greene

Street 319.50 feet to Camden Street and designated as No. 4 on said plat.

5. Burgundy Street, 20 feet wide, in two sections, and running northeasterly from Russell Street 212.09 feet to Greene Street and northeasterly from Greene Street 361.59 feet to Cornell Street and designated as No. 5 on said plat.

6. Houser Street, varying in width from 20 feet to 35 feet, in two sections, and running northeasterly from Warner Street 408.0 feet to Greene Street and northeasterly from Greene Street 354.75 feet to Eutaw Street and designated as No. 6 on said plat.

7. Swift Alley, 12 feet wide, 91.0 feet south of Camden Street and running westerly from Eutaw Street 274.49 feet to Paca Street and designated as No. 7 on said plat.

8. Perry Street, 20 feet wide, 153.0 feet south of Camden Street, and running westerly from Eutaw Street 219.73 feet to Cornell Street and designated as No. 8 on said plat.

9. Greene Street, 30 feet wide, in three sections, and running southeasterly from Russell Street 210.67 feet to Paca Street, southeasterly from Paca Street 250.0 feet to Conway Street and southeasterly from Conway Street 260.0 feet to Barre Street and designated as No. 9 on said plat.

10. Warner Street, 50 feet wide, and running southeasterly from Russell Street 128.0 feet to Barre Street and designated as No. 10 on said plat.

11. Cornell Street, 30 feet wide, and running northwesterly from Conway Street 240.69 feet to Paca Street and designated as No. 11 on said plat.

12. An Alley, 2.5 feet wide, 36.0 feet northwest of Eislen Street and running southwestwardly from the northeast side of a 3 foot Alley, 133.67 feet northeast of Greene Street, 37.33 feet to the end thereof and designated as No. 12 on said plat.

13. An Alley, 3 feet wide, 133.67 feet northeast

of Greene Street and running northwesterly from Eislén Street 36.0 feet to a 2.5 foot Alley and designated as No. 13 on said plat.

14. An Alley, 3 feet wide, 56.0 feet northwest of Eislén Street and running southwesterly from the northeast side of a 3 foot Alley distant 53.21 feet, southwest of Camden Street, measured along the northwest side of Eislén Street, 58.0 feet to the end thereof and designated as No. 14 on said plat.

15. An Alley, 3 feet wide, 53.21 feet southwest of Camden Street, measured along the northwest side of Eislén Street, and running northwesterly from Eislén Street 56.0 feet to a 3 foot Alley and designated as No. 15 on said plat.

16. An Alley, 2.33 feet wide, 24.0 feet southwest of Camden Street, measured along the northwest side of Eislén Street, and running northwesterly from Eislén Street 48.5 feet to Camden Street and designated as No. 16 on said plat.

17. An Alley, 3 feet wide, 65.0 feet southwest of Paca Street, measured along the southeast side of Eislén Street, and running southeasterly from Eislén Street 42.0 feet to the end thereof and designated as No. 17 on said plat.

18. An Alley, 2.33 feet wide, 44.67 feet northeast of Greene Street and running southeasterly from Eislén Street 52.0 feet to a 2.5 foot Alley and designated as No. 18 on said plat.

19. An Alley, 2.5 feet wide, 55.5 feet northwest of Paca Street and running northeasterly from Greene Street 47.0 feet to the end thereof and designated as No. 19 on said plat.

20. An Alley, 3 feet wide, 60.0 feet southeast of Paca Street and running southwesterly from Greene Street 33.0 feet to the end thereof and designated as No. 20 on said plat.

21. An Alley, 2.83 feet wide, 12.0 feet northeast of Russell Street, measured along the northwest side

of Burgundy Street and running northwesterly from Burgundy Street 21.0 feet to Russell Street and designated as No. 21 on said plat.

22. An Alley, 3 feet wide, 36.0 feet northwest of Burgundy Street and running northeasterly from the southwest side of a 3 foot Alley 29.83 feet northeast of Russell Street measured along the northwest side of Burgundy Street, 17.0 feet to the end thereof and designated as No. 22 on said plat.

23. An Alley, 3 feet wide, 29.83 feet northeast of Russell Street, measured along the northwest side of Burgundy Street, and running northwesterly from Burgundy Street 36.0 feet to a 3 foot Alley and designated No. 23 on said plat.

24. An Alley, 3 feet wide, 70.08 feet southeast of Paca Street and running northeasterly from Greene Street, 33.5 feet to the end thereof and designated as No. 24 on said plat.

25. An Alley, 3 feet wide, 49.0 feet southwest of Greene Street and running southeasterly from Burgundy Street, 49.0 feet to a 3 foot Alley and designated as No. 25 on said plat.

26. An Alley, 3 feet wide, 63.0 feet northwest of Conway Street and running southwesterly from Greene Street, 52.0 feet to the end thereof and designated as No. 26 on said plat.

27. An Alley, 3 feet wide, 64.0 feet northwest of Conway Street and running northeasterly from Greene Street, 48.63 feet to the end thereof and designated as No. 27 on said plat.

28. An Alley, 3 feet wide, 43.0 feet northeast of Greene Street and running southeasterly from Burgundy Street, 48.0 feet to a 3 foot Alley and designated as No. 28 on said plat.

29. An Alley, 4 feet wide, 67.0 feet northwest of Conway Street, measured along the southwest side of Cornell Street, and running southwesterly from Cornell Street 43.0 feet to the end thereof and designated as No. 29 on said plat.

30. An Alley, 3 feet wide, 40.0 feet southwest of Cornell Street and running northwesterly from the northwest side of a 4 foot Alley, 67.0 feet northwest of Conway Street, 14.92 feet to the end thereof and designated as No. 30 on said plat.

31. An Alley, 3 feet wide, 111.68 feet northwest of Conway Street, measured along the northeast side of Cornell Street and running easterly from Cornell Street 111.48 feet to the end thereof and designated as No. 31 on said plat.

32. An Alley, 3 feet wide, 60 feet west of Eutaw Street and running southerly from Perry Street, 45.0 feet to a 3 foot Alley and designated as No. 32 on said plat.

33. An Alley, 3 feet wide, 60.0 feet west of Eutaw Street and running northerly from Conway Street 60.0 feet to the end thereof and designated as No. 33 on said plat.

34. An Alley, 3 feet wide, 112.88 feet south of Conway Street, measured along the east side of Russell Street and running northeasterly from Russell Street 28.25 feet to the end thereof and designated as No. 34 on said plat.

35. An Alley, varying in width from 4 feet to 3 feet, 56.0 feet northeast of Greene Street and running northwesterly from Houser Street 60 feet to the end thereof and designated as No. 35 on said plat.

36. An Alley, 3 feet wide, 114.0 feet northeast of Greene Street and running northwesterly from Houser Street 60.0 feet to the end thereof and designated as No. 36 on said plat.

37. An Alley, 2 feet wide, 61.75 feet northwest of Barre Street and running southwestly from Greene Street 41.67 feet to the end thereof and designated as No. 37 on said plat.

38. An Alley, 3 feet wide, 57.0 feet northeast of Greene Street and running southeasterly from

Houser Street, 52.0 feet to the end thereof and designated as No. 38 on said plat.

39. An Alley, 3 feet wide, 40.0 feet southeast of Washington Boulevard and running northeasterly from a 3 foot Alley, 93.0 feet southwest of Paca Street, measured along the southeast side of Washington Boulevard 21.44 feet to a 3 foot Alley and designated as No. 39 on said plat.

40. An Alley, 3 feet wide, 32.0 feet west of Paca Street and running southerly from the northwest line of a 3 foot Alley 40.0 feet southeast of Washington Boulevard, 13.0 feet to the end thereof and designated as No. 40 on said plat.

41. An Alley, 3 feet wide, 40.0 feet to about 48.0 feet southeast of Washington Boulevard and running westerly, from the west side of a 3 foot Alley 32.0 feet west of Paca Street, 23.53 feet to the end thereof and designated as No. 41 on said plat.

42. An Alley, 3 feet wide, 75.0 feet west of Paca Street, in the rear of former No. 308 South Paca Street, and running southerly from the northernmost outline of said former lot 16.0 feet to the end thereof and designated as No. 42 on said plat.

43. An Alley, 3 feet wide, 136.0 feet southwest of Paca Street, measured along the southeast side of Washington Boulevard and running southeasterly, from Washington Boulevard, 58.5 feet to the end thereof and designated as No. 43 on said plat.

44. An Alley, 3 feet wide, 93.0 feet southwest of Paca Street, measured along the southeast side of Washington Boulevard and running southeasterly from Washington Boulevard 40.0 feet to a 3 foot Alley and designated as No. 44 on said plat.

45. An Alley, 3.0 feet wide, 46.75 feet northeast of Greene Street and running northwesterly from Eislen Street, 56.0 feet to the end thereof and designated as No. 45 on said plat.

SEC. 2. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

H. Harold Grady, *Mayor.*

No. 1378

(Council No. 1902)

An ordinance to condemn and close Certain Streets and Alleys lying within the area bounded by Washington Boulevard, Paca Street, Camden Street, Eutaw Street, Barre Street and Russell Street, in accordance with a plat thereof numbered 225-A-8A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Certain Streets and Alleys, lying within the area bounded by Washington Boulevard, Paca Street, Camden Street,

Eutaw Street, Barre Street and Russell Street, in accordance with a plat thereof numbered 225-A-8A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of March, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to forty-five on said plat and described as follows:

1. Paca Street, varying in width from 60 feet to 80 feet and running northeasterly and northerly from Russell Street 621.0 feet to Camden Street and designated as No. 1 on said plat.

2. Conway Street, 60 feet wide, and running northeasterly from Russell Street 835.38 feet to Eutaw Street and designated as No. 2 on said plat.

3. Barre Street, 60 feet wide, and running northeasterly from Russell Street, 825.20 feet to Eutaw Street and designated as No. 3 on said plat.

4. Eislen Street, 20 feet wide, in two sections, and running northeasterly from Russell Street 48.5 feet to Greene Street and northeasterly from Greene Street 319.50 feet to Camden Street and designated as No. 4 on said plat.

5. Burgundy Street, 20 feet wide, in two sections, and running northeasterly from Russell Street 212.09 feet to Greene Street and northeasterly from Greene Street 361.59 feet to Cornell Street and designated as No. 5 on said plat.

6. Houser Street, varying in width from 20 feet to 35 feet, in two sections, and running northeasterly from Warner Street 408.0 feet to Greene Street and northeasterly from Greene Street 354.75 feet to Eutaw Street and designated as No. 6 on said plat.

7. Swift Alley, 12 feet wide, 91.0 feet south of Camden Street and running westerly from Eutaw Street, 274.49 feet to Paca Street and designated as No. 7 on said plat.

8. Perry Street, 20 feet wide, 153.0 feet south of Camden Street, and running westerly from Eutaw

Street 219.73 feet to Cornell Street and designated as No. 8 on said plat.

9. Greene Street, 30 feet wide, in three sections, and running southeasterly from Russell Street 210.67 feet to Paca Street, southeasterly from Paca Street 250.0 feet to Conway Street and southeasterly from Conway Street 260.0 feet to Barre Street and designated as No. 9 on said plat.

10. Warner Street, 50 feet wide, and running southeasterly from Russell Street 128.0 feet to Barre Street and designated as No. 10 on said plat.

11. Cornell Street, 30 feet wide, and running northwesterly from Conway Street 240.69 feet to Paca Street and designated as No. 11 on said plat.

12. An Alley, 2.5 feet wide, 36.0 feet northwest of Eislen Street and running southwesterly from the northeast side of a 3 foot Alley, 133.67 feet northeast of Greene Street, 37.33 feet to the end thereof and designated as No. 12 on said plat.

13. An Alley, 3 feet wide, 133.67 feet northeast of Greene Street and running northwesterly from Eislen Street 36.0 feet to a 2.5 foot Alley and designated as No. 13 on said plat.

14. An Alley, 3 feet wide, 56.0 feet northwest of Eislen Street and running southwesterly from the northeast side of a 3 foot Alley distant 53.21 feet, southwest of Camden Street, measured along the northwest side of Eislen Street, 58.0 feet to the end thereof and designated as No. 14 on said plat.

15. An Alley, 3 feet wide, 53.21 feet southwest of Camden Street, measured along the northwest side of Eislen Street, and running northwesterly from Eislen Street 56.0 feet to a 3 foot Alley and designated as No. 15 on said plat.

16. An Alley, 2.33 feet wide, 24.0 feet southwest of Camden Street, measured along the northwest side of Eislen Street, and running northwesterly

from Eislen Street 48.5 feet to Camden Street and designated as No. 16 on said plat.

17. An Alley, 3 feet wide, 65.0 feet southwest of Paca Street, measured along the southeast side of Eislen Street, and running southeasterly from Eislen Street 42.0 feet to the end thereof and designated as No. 17 on said plat.

18. An Alley, 2.33 feet wide, 44.67 feet northeast of Greene Street and running southeasterly from Eislen Street 52.0 feet to a 2.5 foot Alley and designated as No. 18 on said plat.

19. An Alley, 2.5 feet wide, 55.5 feet northwest of Paca Street and running northeasterly from Greene Street 47.0 feet to the end thereof and designated as No. 19 on said plat.

20. An Alley, 3 feet wide, 60.0 feet southeast of Paca Street and running southwesterly from Greene Street 33.0 feet to the end thereof and designated as No. 20 on said plat.

21. An Alley, 2.83 feet wide, 12.0 feet northeast of Russell Street, measured along the northwest side of Burgundy Street and running northwesterly from Burgundy Street 21.0 feet to Russell Street and designated as No. 21 on said plat.

22. An Alley, 3 feet wide, 36.0 feet northwest of Burgundy Street and running northeasterly from the southwest side of a 3 foot Alley 29.83 feet northeast of Russell Street measured along the northwest side of Burgundy Street, 17.0 feet to the end thereof and designated as No. 22 on said plat.

23. An Alley, 3 feet wide, 29.83 feet northeast of Russell Street, measured along the northwest side of Burgundy Street, and running northwesterly from Burgundy Street 36.0 feet to a 3 foot Alley and designated as No. 23 on said plat.

24. An Alley, 3 feet wide, 70.08 feet southeast of Paca Street and running northeasterly from

Greene Street, 33.5 feet to the end thereof and designated as No. 24 on said plat.

25. An Alley, 3 feet wide, 49.0 feet southwest of Greene Street and running southeasterly from Burgundy Street, 49.0 feet to a three foot Alley and designated as No. 25 on said plat.

26. An Alley, 3 feet wide, 63.0 feet northwest of Conway Street and running southwesterly from Greene Street, 52.0 feet to the end thereof and designated as No. 26 on said plat.

27. An Alley, 3 feet wide, 64.0 feet northwest of Conway Street and running northeasterly from Greene Street, 48.63 feet to the end thereof and designated as No. 27 on said plat.

28. An Alley, 3 feet wide, 43.0 feet northeast of Greene Street and running southeasterly from Burgundy Street, 48.0 feet to a 3 foot Alley and designated as No. 28 on said plat.

29. An Alley, 4 feet wide, 67.0 feet northwest of Conway Street, measured along the southwest side of Cornell Street, and running southwesterly from Cornell Street 43.0 feet to the end thereof and designated as No. 29 on said plat.

30. An Alley, 3 feet wide, 40.0 feet southwest of Cornell Street and running northwesterly from the northwest side of a 4 foot Alley, 67.0 feet northwest of Conway Street, 14.92 feet to the end thereof and designated as No. 30 on said plat.

31. An Alley, 3 feet wide, 111.68 feet northwest of Conway Street, measured along the northeast side of Cornell Street and running easterly from Cornell Street, 111.48 feet to the end thereof and designated as No. 31 on said plat.

32. An Alley, 3 feet wide, 60.0 feet west of Eutaw Street and running southerly from Perry Street, 45.0 feet to a 3 foot Alley and designated as No. 32 on said plat.

33. An Alley, 3 feet wide, 60.0 feet west of

Eutaw Street and running northerly from Conway Street 60.0 feet to the end thereof and designated as No. 33 on said plat.

34. An Alley, 3 feet wide, 112.88 feet south of Conway Street measured along the east side of Russell Street and running northeasterly from Russell Street 28.25 feet to the end thereof and designated as No. 34 on said plat.

35. An Alley, varying in width from 4 feet to 3 feet, 56.0 feet northeast of Greene Street and running northwesterly from Houser Street 60 feet to the end thereof and designated as No. 35 on said plat.

36. An Alley, 3 feet wide, 114.0 feet northeast of Greene Street and running northwesterly from Houser Street 60.0 feet to the end thereof and designated as No. 36 on said plat.

37. An Alley, 2 feet wide, 61.75 feet northwest of Barre Street and running southwestly from Greene Street 41.67 feet to the end thereof and designated as No. 37 on said plat.

38. An Alley, 3 feet wide, 57.0 feet northeast of Greene Street and running southeasterly from Houser Street, 52.0 feet to the end thereof and designated as No. 38 on said plat.

39. An Alley, 3 feet wide, 40.0 feet southeast of Washington Boulevard and running northeasterly from a 3 foot Alley, 93.0 feet southwest of Paca Street, measured along the southeast side of Washington Boulevard 21.44 feet to a 3 foot Alley and designated as No. 39 on said plat.

40. An Alley, 3 feet wide, 32.0 feet west of Paca Street and running southerly from the northwest line of a 3 foot Alley 40.0 feet southeast of Washington Boulevard, 13.0 feet to the end thereof and designated as No. 40 on said plat.

41. An Alley, 3 feet wide, 40.0 feet to about 48.0 feet southeast of Washington Boulevard and

running westerly, from the west side of a 3 foot Alley 32.0 feet west of Paca Street, 23.53 feet to the end thereof and designated as No. 41 on said plat.

42. An Alley, 3 feet wide, 75.0 feet west of Paca Street, in the rear of former No. 308 South Paca Street, and running southerly from the northernmost outline of said former lot 16.0 feet to the end thereof and designated as No. 42 on said plat.

43. An Alley, 3 feet wide, 136.0 feet southwest of Paca Street, measured along the southeast side of Washington Boulevard and running southeasterly, from Washington Boulevard, 58.5 feet to the end thereof and designated as No. 43 on said plat.

44. An Alley, 3 feet wide, 93.0 feet southwest of Paca Street, measured along the southeast side of Washington Boulevard and running southeasterly from Washington Boulevard 40.0 feet to a 3 foot Alley and designated as No. 44 on said plat.

45. An Alley, 3.0 feet wide, 46.75 feet northeast of Greene Street and running northwesterly from Eislen Street, 56.0 feet to the end thereof and designated as No. 45 on said plat.

The said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-seventh (27th) day of March, 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or inter-

fere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of

Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1379

(Council No. 1991)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely for the opening, widening, grading, construction and maintenance of Forest Park Avenue, varying in width from 66 feet to 132 feet from Centre Street northeasterly to a 15 foot path northeast of Fredwall Avenue; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Forest Park Avenue; and authorizing the making of all necessary agreements concerning said Forest Park Avenue; and authorizing the construction of said Forest Park Avenue; the location and course of said Forest Park Avenue being shown on a plat thereof numbered 142-A-29E, prepared by the Bureau

of Surveys and filed in the Office of the Director of Public Works on the Fourteenth (14th) day of May, 1962.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or condemnation for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of Forest Park Avenue, varying in width from 66 feet to 132 feet from Centre Street northeasterly to a 15 foot path northeast of Fredwall Avenue; the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for the same at the point formed by the intersection of the northwest side of Centre Street, 25 feet wide, and the east side of Forest Park Avenue, as now laid out and running thence South $08^{\circ}-17'-50''$ West 37.55 feet to intersect the northernmost outline of No. 1707 Forest Park Avenue; thence binding on the northernmost outline of said property, South $87^{\circ}-10'-00''$ West 50.00 feet to intersect the east side of said Forest Park Avenue; thence South $06^{\circ}-58'-00''$ East, binding on the east side of said Forest Park Avenue, 28.95 feet; thence South $81^{\circ}-00'-38''$ West, crossing said Forest Park Avenue and continuing the same course, in all, 51.68 feet to the west side of Forest Park Avenue, as proposed to be opened and widened; thence binding on the west and southwest sides of said last mentioned Forest Park Avenue, the two following courses and distances, namely, North $08^{\circ}-59'-22''$ West 24.41 feet and by a line curving to the left, with a 168.90 foot radius, the distance of 55.60 feet, which arc is subtended by a chord bearing North $18^{\circ}-25'-14''$ West 55.35 feet to intersect the south side of Cedar Lane, 16 feet wide; thence South $75^{\circ}-44'-30''$ West, binding on the south side of said Cedar Lane, 41.66 feet to intersect the

southwest side of said Forest Park Avenue, as proposed to be opened and widened; thence binding on the southwest side of said Forest Park Avenue, as proposed, by a line curving to the right, with a 340.0 foot radius, the distance of 41.47 feet, which arc is subtended by a chord bearing North $21^{\circ}-34'-16''$ West 41.44 feet to intersect the Western Boundary of Baltimore City established 1918; thence binding on said Western Boundary due North 263.58 feet to intersect the northwest side of said Forest Park Avenue, as proposed; thence binding on the northwest side of said Forest Park Avenue, as proposed, the six following courses and distances, namely, by a line curving to the left, with a 676.20 foot radius the distance of 16.23 feet, which arc is subtended by a chord bearing North $36^{\circ}-18'-59''$ East 16.23 feet, North $35^{\circ}-37'-44''$ East 153.35 feet, South $82^{\circ}-52'-20''$ East 7.98 feet, North $35^{\circ}-37'-44''$ East 143.20 feet, by a line curving to the left, with a 1128.04 foot radius the distance of 174.53 feet, which arc is subtended by a chord bearing North $31^{\circ}-11'-47''$ East 174.36 feet and North $26^{\circ}-45'-50''$ East 109.84 feet to intersect the southwest side of a 15 foot path, there situate; thence binding on the southwest side of said Path the two following courses and distances, namely, South $48^{\circ}-20'-20''$ East 28.88 feet and South $48^{\circ}-56'-30''$ East 39.31 feet to intersect the southeast side of said Forest Park Avenue, as proposed; thence binding on the southeast side of said Forest Park Avenue, as proposed the four following courses and distances, namely, South $26^{\circ}-45'-50''$ West 92.72 feet, by a line curving to the right, with a 1194.04 foot radius the distance of 184.75 feet, which arc is subtended by a chord bearing South $31^{\circ}-11'-47''$ West 184.56 feet, South $35^{\circ}-37'-44''$ West 49.82 feet and South $27^{\circ}-05'-20''$ West 28.22 feet to intersect the northeast side of Rose Lane, 25 feet wide, produced northwesterly; thence reversing said line of the northeast side of Rose Lane so produced and binding thereon South $48^{\circ}-56'-30''$ East 25.45 feet to intersect the southeast side of said Forest Park

Avenue, as now laid out and thence binding on the southeast and east sides of said Forest Park Avenue, as now laid out, the two following courses and distances, namely, South $41^{\circ}-03'-30''$ West 87.50 feet and by a line curving to the left, with a 260.0 foot radius the distance of 395.90 feet, which arc is subtended by a chord bearing South $02^{\circ}-33'-50''$ East 358.75 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Forest Park Avenue, the location and course of said Forest Park Avenue being shown on a plat thereof numbered 142-A-29E, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Fourteenth (14th) day of May, 1962.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained,* That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading,

construction and maintenance of said Forest Park Avenue. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon, or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said Forest Park Avenue Project.

SEC. 3. *And be it further ordained*, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained*, That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said Forest Park Avenue Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore

provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said Forest Park Avenue Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1380

(Council No. 1992)

An ordinance to condemn and open All Streets and Alleys lying within the area bounded by Russell Street, Barre Street, Eutaw Street and Hamburg Street, in accordance with a plat thereof numbered 225-A-8D, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-fifth (25th) day of April, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open All Streets and Alleys lying within the area bounded by Russell Street, Barre Street, Eutaw Street and Hamburg Street, in accordance with a plat thereof numbered 225-A-8D, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-fifth (25) day of April, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to thirty-seven on said plat and described as follows:

1. Lee Street, varying in width from 60 feet to about 125 feet, and running northeasterly from Russell Street 814.82 feet to Eutaw Street and designated as No. 1 on said plat.
2. Henrietta Street, 66 feet wide, and running northwesterly from Eutaw Street 543.84 feet to Montgomery Street and designated as No. 2 on said plat.
3. Warner Street, varying in width from 66 feet to 50 feet, in three sections, and running southeasterly from Barre Street 221.70 feet to Lee Street, southeasterly and southwesterly from Lee Street 287.25 feet to Henrietta Street and southwesterly from Henrietta Street 330.0 feet to Hamburg Street and designated as No. 3 on said plat.
4. Greene Street, 66 feet wide, and running southeasterly from Barre Street 274.8 feet to Lee Street and designated as No. 4 on said plat.
5. Welcome Alley, 20 feet wide, 155.65 feet south of Barre Street and running westerly from Eutaw Street 138.66 feet to Greene Street and designated as No. 5 on said plat.
6. An Alley, 20 feet wide, 120.0 feet southeast of Barre Street and running southwesterly from Warner Street 184.0 feet to Russell Street and designated as No. 6 on said plat.
7. Montgomery Street, 20 feet wide, in two sections, and running northeasterly from Russell Street 381.0 feet to Warner Street and northeasterly from Warner Street 378.66 feet to Eutaw Street and designated as No. 7 on said plat.
8. Fremont Avenue, 50 feet wide, and running southeasterly from Russell Street 266.93 feet to Hamburg Street and designated as No. 8 on said plat.
9. Briscoe Street, varying in width from 29 feet to 40 feet, in two sections, and running southwesterly from Henrietta Street 217.59 feet to Fremont Ave-

nue and southwesterly from Fremont Avenue 47.22 feet to Hamburg Street and designated as No. 9 on said plat.

10. An Alley, 10 feet wide, 55.0 feet northwest of Warner Street and running southwesterly from Henrietta Street 305.0 feet to Fremont Avenue and designated as No. 10 on said plat.

11. China Street, varying in width from 20 feet to 30 feet, in three sections, and running southeasterly from Lee Street 168.79 feet to Montgomery Street, southwesterly from Montgomery Street 307.5 feet to Henrietta Street, southwesterly from Henrietta Street 330.66 feet to Hamburg Street and designated as No. 11 on said plat.

12. An Alley, 10 feet wide, 95.0 feet northwest of Eutaw Street and running northeasterly from Henrietta Street 347.6 feet to Montgomery Street and designated as No. 12 on said plat.

13. An Alley, 3 feet wide, 60 feet southeast of Barre Street and running northeasterly from Greene Street 46.0 feet to the end thereof and designated as No. 13 on said plat.

14. An Alley, 3 feet wide, 67.0 feet southeast of Lee Street and running southwesterly from Warner Street 53.0 feet to the end thereof and designated as No. 14 on said plat.

15. An Alley, 3 feet wide, 50.0 feet southwest of Warner Street and running northwesterly from Montgomery Street 58.0 feet to a 3 foot Alley and designated as No. 15 on said plat.

16. An Alley, 3 feet wide, 58.0 feet southeast of Lee Street and running northeasterly from Warner Street 14.0 feet to the end thereof and designated as No. 16 on said plat.

17. An Alley, 4 feet wide, 62.5 feet northwest of Montgomery Street and running northeasterly from Warner Street 60.0 feet to the end thereof and designated as No. 17 on said plat.

18. An Alley, 4 feet wide, 56.31 feet northeast of Warner Street and running northwesterly from Montgomery Street 68.66 feet to a 4 foot Alley and designated as No. 18 on said plat.

19. An Alley, 3 feet wide, 104.0 feet southeast of Lee Street and running southwesterly from China Street 61.75 feet to the end thereof and designated as No. 19 on said plat.

20. An Alley, 3 feet wide, 31.10 feet southeast of Lee Street and running northeasterly from China Street 32.5 feet to the end thereof and designated as No. 20 on said plat.

21. An Alley, 3 feet wide, 75.0 feet west of Eutaw Street and running southerly from Lee Street 60.0 feet to the end thereof and designated as No. 21 on said plat.

22. An Alley, 2.5 feet wide, 57.5 feet south of Lee Street and running westerly from Eutaw Street 75.0 feet to a 3 foot Alley and designated as No. 22 on said plat.

23. An Alley, 5 feet wide, 80 feet southeast of Warner Street and running southwesterly from Montgomery Street 158.85 feet to a 5 foot Alley and designated as No. 23 on said plat.

24. An Alley, 5 feet wide, 70.0 feet northeast of Henrietta Street and running southeasterly from Warner Street 145.96 feet to China Street and designated as No. 24 on said plat.

25. An Alley, 4 feet wide, 206.5 feet northeast of Henrietta Street and running southeasterly from China Street 50.0 feet to a 10 foot Alley and designated as No. 25 on said plat.

26. An Alley, 3 feet wide, 71.5 feet northeast of Henrietta Street and running southeasterly from China Street 50.0 feet to a 10 foot Alley and designated as No. 26 on said plat.

27. An Alley, 4 feet wide, 87.0 feet northeast of Henrietta Street and running northwesterly from

Eutaw Street 95.0 feet to a 10 foot Alley and designated as No. 27 on said plat.

28. An Alley, 3 feet wide, 61.0 feet northwest of Eutaw Street and running northeasterly from Henrietta Street 30.0 feet to the end thereof and designated as No. 28 on said plat.

29. An Alley, 2.33 feet wide, 48.33 feet northeast of Hamburg Street and running southeasterly from Russell Street 13.75 feet to the end thereof and designated as No. 29 on said plat.

30. An Alley, 3 feet wide, 100.0 feet northeast of Hamburg Street and running southeasterly from the northwest line of a 3 foot Alley, 27.5 feet southeast of Russell Street, 13.75 feet to the end thereof and designated as No. 30 on said plat.

31. An Alley, 3 feet wide, 27.5 feet southeast of Russell Street and running northeasterly from a point 30.0 feet northeast of Hamburg Street, 70.0 feet to a 3 foot Alley and designated as No. 31 on said plat.

32. An Alley, 3 feet wide, 59.0 feet southwest of Henrietta Street and running southeasterly from Warner Street 142.04 feet to the end thereof and designated as No. 32 on said plat.

33. An Alley, 4 feet wide, 98.0 feet southwest of Henrietta Street and running northwesterly from China Street 13.0 feet to the end thereof and designated as No. 33 on said plat.

34. An Alley, 3 feet wide, 63.0 feet northeast of Hamburg Street and running northwesterly from China Street 26.67 feet to the end thereof and designated as No. 34 on said plat.

35. An Alley, 5 feet wide, 57.5 feet southeast of China Street and running northeasterly from a 5 foot Alley 66.0 feet northeast of Hamburg Street, 60.83 feet to the end thereof and designated as No. 35 on said plat.

36. An Alley, 5 feet wide, 66.0 feet northeast of Hamburg Street and running southeasterly from China Street 62.5 feet to the end thereof and designated as No. 36 on said plat.

37. An Alley, 3 feet wide, 70.0 feet northwest of Eutaw Street and running northeasterly from Hamburg Street 66.0 feet to the end thereof and designated as No. 37 on said plat, the said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-fifth (25th) day of April, 1962, and is now on file in said office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1381

(Council No. 1993)

An ordinance to condemn and close All Streets and Alleys lying within the area bounded by

Russell Street, Barre Street, Eutaw Street and Hamburg Street in accordance with a plat thereof numbered 225-A-8E, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of April, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Department of Assessments be, and they are hereby authorized and directed to condemn and close All Streets and Alleys lying within the area bounded by Russell Street, Barre Street, Eutaw Street and Hamburg Street in accordance with a plat thereof numbered 225-A-8E, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of April, 1962, and now on file in said office; the said Streets and Alleys are numbered from one to thirty-seven on said plat and described as follows:

1. Lee Street, varying in width from 60 feet to about 125 feet, and running northeasterly from Russell Street 814.82 feet to Eutaw Street and designated as No. 1 on said plat.

2. Henrietta Street, 66 feet wide, and running northwesterly from Eutaw Street 543.84 feet to Montgomery Street and designated as No. 2 on said plat.

3. Warner Street, varying in width from 66 feet to 50 feet, in three sections, and running southeasterly from Barre Street 221.70 feet to Lee Street, southeasterly and southwesterly from Lee Street 287.25 feet to Henrietta Street and southwesterly from Henrietta Street 330.0 feet to Hamburg Street and designated as No. 3 on said plat.

4. Greene Street, 66 feet wide, and running southeasterly from Barre Street 274.8 feet to Lee Street and designated as No. 4 on said plat.

5. Welcome Alley, 20 feet wide, 155.65 feet south of Barre Street and running westerly from Eutaw

Street 138.66 feet to Greene Street and designated as No. 5 on said plat.

6. An Alley, 20 feet wide, 120.0 feet southeast of Barre Street and running southwesterly from Warner Street 184.0 feet to Russell Street and designated as No. 6 on said plat.

7. Montgomery Street, 20 feet wide, in two sections, and running northeasterly from Russell Street 381.0 feet to Warner Street and northeasterly from Warner Street 378.66 feet to Eutaw Street and designated as No. 7 on said plat.

8. Fremont Avenue, 50 feet wide, and running southeasterly from Russell Street 266.93 feet to Hamburg Street and designated as No. 8 on said plat.

9. Briscoe Street, varying in width from 29 feet to 40 feet, in two sections, and running southwesterly from Henrietta Street 217.59 feet to Fremont Avenue and southwesterly from Fremont Avenue 47.22 feet to Hamburg Street and designated as No. 9 on said plat.

10. An Alley, 10 feet wide, 55.0 feet northwest of Warner Street and running southwesterly from Henrietta Street 305.0 feet to Fremont Avenue and designated as No. 10 on said plat.

11. China Street, varying in width from 20 to 30 feet, in three sections, and running southeasterly from Lee Street 168.79 feet to Montgomery Street, southwesterly from Montgomery Street 307.5 feet to Henrietta Street, southwesterly from Henrietta Street 330.66 feet to Hamburg Street and designated as No. 11 on said plat.

12. An Alley, 10 feet wide, 95.0 feet northwest of Eutaw Street and running northeasterly from Henrietta Street 347.6 feet to Montgomery Street and designated as No. 12 on said plat.

13. An Alley, 3 feet wide, 60 feet southeast of Barre Street and running northeasterly from Greene

Street 46.0 feet to the end thereof and designated as No. 13 on said plat.

14. An Alley, 3 feet wide, 67.0 feet southeast of Lee Street and running southwesterly from Warner Street 53.0 feet to the end thereof and designated as No. 14 on said plat.

15. An Alley, 3 feet wide, 50.0 feet southwest of Warner Street and running northwesterly from Montgomery Street 58.0 feet to a 3 foot Alley and designated as No. 15 on said plat.

16. An Alley, 3 feet wide, 58.0 feet southeast of Lee Street and running northeasterly from Warner Street 14.0 feet to the end thereof and designated as No. 16 on said plat.

17. An Alley, 4 feet wide, 62.5 feet northwest of Montgomery Street and running northeasterly from Warner Street 60.0 feet to the end thereof and designated as No. 17 on said plat.

18. An Alley, 4 feet wide, 56.31 feet northeast of Warner Street and running northwesterly from Montgomery Street 68.66 feet to a 4 foot Alley and designated as No. 18 on said plat.

19. An Alley, 3 feet wide, 104.0 feet southeast of Lee Street and running southwesterly from China Street 61.75 feet to the end thereof and designated as No. 19 on said plat.

20. An Alley, 3 feet wide, 31.10 feet southeast of Lee Street and running northeasterly from China Street 32.5 feet to the end thereof and designated as No. 20 on said plat.

21. An Alley, 3 feet wide, 75.0 feet west of Eutaw Street and running southerly from Lee Street 60.0 feet to the end thereof and designated as No. 21 on said plat.

22. An Alley, 2.5 feet wide, 57.5 feet south of Lee Street and running westerly from Eutaw Street 75.0 feet to a 3 foot Alley and designated as No. 22 on said plat.

23. An Alley, 5 feet wide, 80 feet southeast of Warner Street and running southwesterly from Montgomery Street 158.85 feet to a 5 foot Alley and designated as No. 23 on said plat.

24. An Alley, 5 feet wide, 70.0 feet northeast of Henrietta Street and running southeasterly from Warner Street 145.96 feet to China Street and designated as No. 24 on said plat.

25. An Alley, 4 feet wide, 206.5 feet northeast of Henrietta Street and running southeasterly from China Street 50.0 feet to a 10 foot Alley and designated as No. 25 on said plat.

26. An Alley, 3 feet wide, 71.5 feet northeast of Henrietta Street and running southeasterly from China Street 50.0 feet to a 10 foot Alley and designated as No. 26 on said plat.

27. An Alley, 4 feet wide, 87.0 feet northeast of Henrietta Street and running northwesterly from Eutaw Street 95.0 feet to a 10 foot Alley and designated as No. 27 on said plat.

28. An Alley, 3 feet wide, 61.0 feet northwest of Eutaw Street and running northeasterly from Henrietta Street 30.0 feet to the end thereof and designated as No. 28 on said plat.

29. An Alley, 2.33 feet wide, 48.33 feet northeast of Hamburg Street and running southeasterly from Russell Street 13.75 feet to the end thereof and designated as No. 29 on said plat.

30. An Alley, 3 feet wide, 100.0 feet northeast of Hamburg Street and running southeasterly from the northwest line of a 3 foot Alley, 27.5 feet southeast of Russell Street, 13.75 feet to the end thereof and designated as No. 30 on said plat.

31. An Alley, 3 feet wide, 27.5 feet southeast of Russell Street and running northeasterly from a point 30.0 feet northeast of Hamburg Street, 70.0 feet to a 3 foot Alley and designated as No. 31 on said plat.

32. An Alley, 3 feet wide, 59.0 feet southwest of Henrietta Street and running southeasterly from Warner Street 142.04 feet to the end thereof and designated as No. 32 on said plat.

33. An Alley, 4 feet wide, 98.0 feet southwest of Henrietta Street and running northwesterly from China Street 13.0 feet to the end thereof and designated as No. 33 on said plat.

34. An Alley, 3 feet wide, 63.0 feet northeast of Hamburg Street and running northwesterly from China Street 26.67 feet to the end thereof and designated as No. 34 on said plat.

35. An Alley, 5 feet wide, 57.5 feet southeast of China Street and running northeasterly from a 5 foot Alley 66.0 feet northeast of Hamburg Street, 60.83 feet to the end thereof and designated as No. 35 on said plat.

36. An Alley, 5 feet wide, 66.0 feet northeast of Hamburg Street and running southeasterly from China Street 62.5 feet to the end thereof and designated as No. 36 on said plat.

37. An Alley, 3 feet wide, 70.0 feet northwest of Eutaw Street and running northeasterly from Hamburg Street, 66.0 feet to the end thereof and designated as No. 37 on said plat, the said Streets and Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-sixth (26th) day of April in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained*, That after said highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person,

firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with,

any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1382

(Council No. 2122)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to property situate in Baltimore City, known as 105 W. Twenty-eight Street. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to property situate in Baltimore City, and described as follows:

105 W. Twenty-eighth Street.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the

same shall have first been approved by the City Solicitor.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1383

(Council No. 2124)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of ground situate in Baltimore County on the northeast side of Bellona Avenue southeast of Dunlora Road, containing 0.43 acres of land, more or less. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to parcel of ground situate in Baltimore County, and described as follows:

Beginning for the same at a pipe planted at the intersection of the northeast side of Bellona Avenue, 30 feet wide, and the first line of the parcel of land acquired by condemnation October 8, 1857, and recorded among the Land Records of Baltimore County in Inquisition Liber E.H.A. No. 29, folio 201, Mayor and City Council of Baltimore vs. W. J. Bryson, said point being distant 698.71 feet southeasterly, measured along the northeast side of said Bellona Avenue from the southeast corner of said Bellona Avenue and Dunlora Road and running thence binding on part of the first line of said parcel

of land, North 31 degrees 00 minutes 00 seconds East 173.58 feet to a pipe; thence binding on the second line of said parcel of land South 31 degrees 00 minutes 00 seconds East 112.0 feet to a concrete monument; thence binding on part of the third line of said parcel of land South 31 degrees 00 minutes 00 seconds West 169.33 feet to intersect the northeast side of said Bellona Avenue and thence binding on the northeast side of said Bellona Avenue by a line curving to the left, with a 1336.58 foot radius, the distance of 110.08 feet, which arc is subtended by a chord bearing North 32 degrees 58 minutes 00 seconds West 110.0 feet to the place of beginning.

Containing 0.43 acres of land, more or less.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1384

(Council No. 2142)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the following parcels of land situate in Baltimore City, shown on City Tax Plats in the blocks noted: 935-937 Wilmer Court, comprising lots 75 and 76, block 473; the parcel situate on the east side of North Bruce Street, known as lot 60, block 32; 326-328 S. Norris

Street, comprising lots 103 and 104, block 280; rear 4813 to 4817 W. Forest Park Avenue, comprising lot 22 block 8393-G; rear 421 E. Lake Avenue, comprising lots 12 and 30-A, block 5090-A; the parcel situate on the southeast side of Nieman Avenue, known as lots 472/480, block 7492-C; the parcel situate on the south side of West Rogers Avenue, known as lot 32, block, 4528; and parcel situate on the southwest side of Evergreen Avenue, known as lot 52, block 5763. Said properties being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to all those parcels of land situate in Baltimore City, and described as follows:

935-937 Wilmer Court, situate on the north side of Wilmer Court, comprising Lots 75 and 76, Block 473;

Parcel situate on the east side of North Bruce Street, 110 feet north of Laurens Street, comprising Lot 60, Block 32;

326-328 S. Norris Street, situate on the west side of S. Norris Street, comprising Lots 103 and 104, Block 280;

Rear 4318-4817 W. Forest Park Avenue, situate on the south side of W. Forest Park Avenue, comprising Lot 22, Block 8393-G;

Rear 421 E. Lake Avenue, situate on the south side of Lake Avenue, comprising Lots 12 and 30-A, Block 5090-A;

Parcel situate on the southeast side of Nieman Avenue, 116'1" southwest of Mardel Avenue, comprising Lots 472/480, Block 7492-C;

Parcel situate on the south side of W. Rogers Avenue, comprising Lot 32, Block 4528, also known as 3505 W. Rogers Avenue;

Parcel situate on the southwest side of Evergreen Avenue, 78'5" south of Carter Avenue, comprising Lot 52, Block 5763.

Said properties being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1385

(Council No. 2143)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of ground situate in Baltimore City on the southeast side of Walther Avenue southwest of Keene Avenue, containing 11,100 square feet of land, more or less. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to property situate in Baltimore City and described as follows:

Beginning for the same at the point formed by the intersection of the southeast side of Lot 92 of Hamilton Park, recorded among the Land Records of Baltimore County in Plat Book J.W.S. 2, folio 57, as conveyed by Samuel E. McCormick to the Mayor and City Council of Baltimore by deed, dated February 17, 1940, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6007, folio 47, and the South 82 degrees 36 minutes 35 seconds West 339.35 foot line of Walther Avenue, 100 feet wide, the coordinates of the extremities of said line being East 17963.05 feet, North 18096.60 feet and East 17626.52 feet North 18052.95 feet, as determined by the Bureau of Surveys, in accordance with Ordinance No. 1281, approved December 13, 1954, authorizing the acquisition by purchase or condemnation of properties for the opening of Walther Avenue, said point being distant 75.0 feet, more or less, southwesterly from the point formed by the intersection of the southeast side of Lot 92 of said plat of Hamilton Park and the southwest side of Keene Avenue, 50 feet wide, and said last point being distant 270.0 feet northwest of the southwest corner of said Keene Avenue and Greenfield Avenue, 50 feet wide, and running thence binding on part of said line and on the south side of Walther Avenue the two following courses and distances, namely, South 82 degrees 36 minutes 35 seconds West 153.0 feet, more or less, and by a line curving to the left with a 859.60 foot radius, westerly the distance of 65.0 feet, more or less, to intersect the northeast side of an Alley, 10 feet wide, laid out parallel with and distant 195.0 feet southwesterly from said Keene Avenue; thence southeasterly, binding on the northeast side of said 10-foot Alley 185.0 feet, more or less, to intersect the southeast side of Lot 92 of said plat of Hamilton Park and thence northeasterly, binding on part of the southeast outline of Lot No. 92 of said plat, 120.0 feet, more or less, to the place of beginning.

Containing 11,100.0 square feet of land, more or

less. Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1386

(Council No. 2178)

An ordinance to add Section 163(3a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Belair Road to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Belair Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 163(3a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," to be placed in its regular sequence in the sub-title, as said sub-title was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

163.

(3a) Belair Road, east side, from Hamilton Avenue to a point 94 feet northerly therefrom, between the hours of 8 A. M. and 6 P. M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1387

(Council No. 2192)

An ordinance to repeal Ordinance No. 538, approved December 9, 1960, entitled, "An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate on the south side of Eastern Avenue, east of Dallas Street, fronting on Eastern Avenue 60.33 feet, with a depth southerly of 60 feet. Said property being no longer needed for public use"; and authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate on the south side of Eastern Avenue, east of Dallas Street, fronting on Eastern Avenue 64.65 feet, with a depth southerly of 67.25 feet. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance No. 538, approved December 9, 1960, entitled, "An Ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate on the south side of Eastern

Avenue, east of Dallas Street, fronting on Eastern Avenue 60.33 feet, with a depth southerly of 60 feet. Said property being no longer needed for public use," be and it is hereby repealed.

SEC. 2. *Be it further ordained*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore City, and described as follows:

Beginning for the same at a point on the south side of Eastern Avenue, as now laid out at the distance of 30.13 feet easterly from the southeast corner of said Eastern Avenue and Dallas Street, 20 feet wide, said point being the end of the second line of the parcel of land conveyed by Charles J. Wittler, Trustee, to Josephine Shalinski by deed dated June 18, 1909 and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 2508, folio 1, and running thence binding on the south side of said Eastern Avenue North $86^{\circ}-46'-40''$ East 64.65 feet to intersect the line of the west face of a brick wall, there situate, produced northerly; thence reversing the line of the west face of said brick wall, so produced, and binding thereon and continuing the same course binding on the west face of the west wall of a one-story concrete block building, there situate, in all, South $01^{\circ}-57'-00''$ East 67.25 feet to intersect the north face of the north brick wall of the rear two-story brick portion of #508-510 S. Bond Street; thence binding on the north face of said north brick wall South $85^{\circ}-46'-25''$ West 18.03 feet to intersect the west face of the west brick wall of the rear two story brick portion of #508-510 S. Bond Street; thence binding on the west face of said west brick wall South $02^{\circ}-58'-10''$ East 2.22 feet to intersect the center line of the alley or sixth line of the aforesaid deed, produced easterly; thence reversing the center line of said alley, so produced, and binding thereon South $86^{\circ}-46'-40''$ West 8.73 feet to the end of the fifth line

of the aforesaid deed and thence binding reversely on the fifth, fourth and third lines of said deed the three following courses and distances, namely, North $02^{\circ}-56'-00''$ East 8.58 feet, South $86^{\circ}-46'-40''$ West 37.58 feet and North $02^{\circ}-58'-10''$ West 61.25 feet to the place of beginning.

Containing 4108.0 square feet or 0.0943 acres of land, more or less. Said property being no longer needed for public use.

SEC. 3. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have been approved by the City Solicitor.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1388

(Council No. 2193)

An ordinance to add a new Section 122(8a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 122(8) thereof, prohibiting the parking of vehicles at any time on the north side of Dillon Street between Dean Street and Fagley Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Section 122(8a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 122(8) thereof, and to read as follows:

122.

(8a). No vehicle is permitted to be parked at any time on the north side of Dillon Street between Dean Street and Fagley Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect upon the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1389

(Council No. 2194)

An ordinance to repeal Sections 134(67-k) and 134(67-l) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", subtitle "Parking", as said sections were ordained by Ordinance 454 approved November 7, 1960, and to ordain new Sections 134(67-k) and 134(67-l) to stand in the place of the sections so repealed, revising the provisions concerning the parking and stopping of vehicles on the south side of Pratt Street between East Falls Avenue and Light Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 134(67-k) and 134(67-l) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", subtitle "Parking", as said sections were ordained by Ordinance 454 approved November 7, 1960, be and they are hereby repealed, and to ordain new Sections 134(67-k) and 134(67-l) to stand in the place of the sections so repealed, and to read as follows:

134.

(67-k) No vehicle is permitted to be parked at any time on the south side of Pratt Street between East Falls Avenue and Pier No. 4; and between the hours of 7:30 a.m. and 10 a.m. on any day, and the hours of 4 p.m. and 6 p.m. on any day no vehicle is permitted to be stopped on this portion of the south side of Pratt Street.

(67-1) No vehicle is permitted to be stopped at any time on the south side of Pratt Street between Pier No. 4 and Light Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect on the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1390

(Council No. 2196)

An ordinance to repeal Section 123 (46b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 477, approved November 22, 1960, repealing the ordinance which regulates the stopping of vehicles on the east side of Ensor Street, between Madison Street and Monument Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 123 (46b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 477, approved November 22, 1960, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1391

(Council No. 2197)

An ordinance to add Section 119 (41½) to Article 38 of the Baltimore City Code (1950 Edition), title

Traffic Regulations", sub-title "Parking", to follow immediately after Section 119(4) thereof, regulating the parking of vehicles on the west leg of the east side of Aisquith Street between Fairmount Avenue and Baltimore Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 119(4 $\frac{1}{2}$) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 119(4) thereof, and to read as follows:

119.

(4 $\frac{1}{2}$) No vehicle is permitted to be parked between the hours of 6 a.m. and 7 p.m. on any day on the west leg of the east side of Aisquith Street between Fairmount Avenue and Baltimore Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1392

(Council No. 2198)

An ordinance to repeal Section 97(25) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said section having been ordained by Ordinance 415 approved May 7, 1956, and relating to the one-way movement of traffic on Duncan Street between Fleet Street and Pratt Street; and to ordain in lieu thereof new Sections 97(25) and 97(25-a) to stand in the place of the section so repealed, providing for the one-way movement of traffic on Duncan Street between Fleet Street and Pratt Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 97(25) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", as said section was ordained by Ordinance 415 approved May 7, 1956, be and it is hereby repealed; and that new Sections 97(25) and 97(25-a) be ordained in lieu thereof to stand in the place of the section so repealed, and to read as follows:

97.

(25) Duncan Street between Fleet Street and Eastern Avenue is a one-way street for vehicular traffic and shall be used in a southerly direction only.

(25-a) Duncan Street from Eastern Avenue to Baltimore Street is a one-way street for vehicular traffic and shall be used in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1393

(Council No. 2199)

An ordinance to repeal Section 99(8-a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets" said section having been ordained by Ordinance 889 approved May 22, 1957, and making a one-way street of the Fallsway between Monument Street and Biddle Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 99(8-a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way

Streets", as said section was ordained by Ordinance 889 approved May 22, 1957, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect upon the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1394

(Council No. 2200)

An ordinance to repeal Sections 124(12-e), 124(12-f), 124(12-g) and 124(12-h) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance 882 approved May 22, 1957, and to ordain new Sections 124(12-e) and 124(12-f) to stand in the place of the sections so repealed, revising the provisions concerning the stopping and parking of vehicles on certain portions of the Fallsway.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 124(12-e), 124(12-f), 124(12-g) and 124(12-h) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said sections were ordained by Ordinance 882 and approved May 22, 1957, and to ordain new Sections 124(12-e) and 124(12-f) to stand in the place of the sections so repealed, and to read as follows:

124.

(12-e) No vehicle is permitted to be stopped between the hours of 7 a.m. and 10 a.m. and between the hours of 4 p.m. and 7 p.m. on any day on the westerly side of the Fallsway between Centre Street

and Chase Street; and between the hours of 10 a.m. and 4 p.m. on any day no vehicle is permitted to be parked on this portion of the westerly side of the Fallsway.

(12-f). No vehicle is permitted to be parked at any time on the westerly side of the Fallsway between Chase Street and Biddle Street; and between the hours of 7 a.m. and 10 a.m. and the hours of 4 p.m. and 7 p.m. on any day no vehicle is permitted to be stopped on this portion of the westerly side of the Fallsway.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect upon the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1395

(Council No. 2201)

An ordinance to repeal Section 130(12a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", said section having been ordained by Ordinance 1156 approved April 2, 1962, and regulating the parking of vehicles on both sides of Lanvale Street between Edison Highway and the western dead end thereof.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 130(12a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 1156 approved April 2, 1962, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect upon the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1396

(Council No. 2202)

An ordinance to add a new Section 123(12b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 123(12a) thereof, prohibiting the stopping of vehicles on the west side of Edgewood Street between Clifton Avenue and a point 70 feet southerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 123(12b) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 123(12a) thereof, and to read as follows:

123.

(12b) No vehicle is permitted to be stopped at any time on the west side of Edgewood Street between Clifton Avenue and a point 70 feet southerly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1397

(Council No. 2232)

An ordinance to add a new Section 253 to Article 12 of the Baltimore City Code (1950 Edition), title "Health," to follow immediately after Section 252 thereof, and to be under the new subtitle "Clinics," authorizing the Commissioner of Health to adopt rules and regulations for the administration of the clinics and other centers established by the Department of Health, such regulations to govern among other matters eligibility for admission thereto and the fees which may be required for services rendered therein; and relating generally to such rules and regulations and their enforcement and administration.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 253 be and it is hereby added to Article 12 of the Baltimore City Code (1950 Edition), title "Health," to follow immediately after Section 252 thereof, to be under the new subtitle "Clinics," and to read as follows:

Clinics

The Commissioner of Health may adopt such rules and regulations as may be deemed necessary for the administration of the clinics and other centers established by the Department of Health.

Such rules and regulations shall govern among other matters eligibility for admission and the fees which may be required for services rendered provided that the fees shall not exceed the actual cost of such services, and provided that all fee schedules shall be approved by the Board of Estimates.

The Commissioner of Health shall account monthly to the City Comptroller for all fees collected in its several clinics and centers.

SEC. 2. *And be it further ordained,* That this

ordinance shall take effect from the date of its passage.

Approved November 19, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1398

(Council No. 1178)

An ordinance authorizing the Mayor and City Council of Baltimore to grant to Baltimore County land for the proposed bed of Merritt Boulevard, containing 3.207 acres of land, situate in Baltimore County, together with slope easements and rights-of-way varying in width for the installation and maintenance of force mains. Said property to be granted for the bed of Merritt Boulevard being no longer needed for public use and the exclusive use of the land granted for slopes and rights-of-way being no longer needed for public use.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That the Mayor of Baltimore City be and he is hereby authorized on behalf of the Mayor and City Council of Baltimore to grant unto Baltimore County the following parcels of land, in fee simple, for highway use and to be used and kept open as such:

Beginning for the first parcel thereof at the point formed by the intersection of the southwest side of the Philadelphia, Baltimore and Washington Railroad Right-of-Way, 133.72 feet wide, and the east side of Merritt Boulevard, as proposed, 140.0 feet wide, said point being distant 81.47 feet southeasterly, measured along the southwest side of said Railroad Right-of-Way from the east side of Mof-fett Avenue, 30 feet wide, the coordinates of said

beginning point, based upon the coordinate system as adopted by the Baltimore Survey Control System, being, East 31786.74 feet and South 2261.02 feet and running thence binding on the southeast and northeast sides of said Merritt Boulevard the three following courses and distances, namely, by a line curving to the right, with a 2934.79 foot radius, southwesterly 420.80 feet, South 23 degrees 09 minutes 56 seconds West 38.62 feet and South 19 degrees 29 minutes 55 seconds East 67.29 feet to intersect the northeast side of North Point Road, as conveyed by the Mayor and City Council of Baltimore to the State of Maryland by deed, dated October 29, 1947, and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1557, folio 460; thence binding on the northeast and northwest sides of said North Point Road the three following courses and distances, namely, North 27 degrees 35 minutes 43 seconds West 107.19 feet, to intersect the east side of said Moffett Avenue, crossing said Moffett Avenue North 11 degrees 18 minutes 30 seconds West 70.68 feet, to intersect the west side thereof and South 64 degrees 33 minutes 49 seconds West 193.69 feet to intersect the easternmost outline of the parcel of land conveyed by the Mayor and City Council of Baltimore to Fred H. Nordburch by deed, dated July 16, 1921, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 544, folio 357; thence binding on part of the eastern outline of said property North 13 degrees 49 minutes 00 seconds East 15.26 feet to intersect the northwest side of said Merritt Boulevard, as proposed; thence binding on the northwest side of said Merritt Boulevard the three following courses and distances, namely North 68 degrees 20 minutes 50 seconds East 95.83 feet, North 23 degrees 09 minutes 56 seconds East 24.71 feet and by a line curving to the left, with a 2794.79 foot radius northeasterly 439.88 feet to intersect the southwest side of the said Philadelphia, Baltimore and Washington Railroad Right-of-Way and thence binding on the southwest side of said Rail-

road Right-of-Way by a line curving to the left with a 1200.0 foot radius southeasterly, crossing said Moffett Avenue, in all, 145.73 feet to the place of beginning.

Containing 62,073.00 square feet or 1.425 acres of land, more or less.

Beginning for the second parcel thereof at the point formed by the intersection of the southwest side of North Point Road and the west side of Moffett Avenue, 30 feet wide, the coordinates of said beginning point, based upon the coordinate system as adopted by the Baltimore Survey Control System, being, East 31485.75 feet and South 3030.09 feet and running thence binding on the west side of said Moffett Avenue South 13 degrees 49 minutes 00 seconds West 26.53 feet to intersect the southeast side of Merritt Boulevard, as proposed; thence binding on the southeast and northeast sides of said Merritt Boulevard the three following courses and distances, namely, South 23 degrees 09 minutes 56 seconds West 319.08 feet, South 11 degrees 24 minutes 20 seconds East 139.69 feet and South 45 degrees 51 minutes 55 seconds East 61.22 feet; thence binding on the southeast side of said Merritt Boulevard, as proposed, South 44 degrees 08 minutes 05 seconds West 35.47 feet to intersect the center line of Old North Point Road, as now laid out; thence binding on the center line of said Old North Point Road the two following courses and distances, namely, North 49 degrees 02 minutes 00 seconds West 203.47 feet and North 52 degrees 21 minutes 00 seconds West 12.66 feet to intersect the easternmost outline of the parcel of land conveyed by the Mayor and City Council of Baltimore to Fred H. Nordburch by deed, dated July 16, 1921, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 544, folio 357; thence binding on the eastern outline of said property North 13 degrees 49 minutes 00 seconds East 588.40 feet to intersect the southwest side of said North Point Road and thence binding on the southwest

side of said North Point Road the two following courses and distances, namely, by a line curving to the right, with a 5654.58 foot radius, the distance of 33.66 feet, which arc is subtended by a chord bearing South 65 degrees 15 minutes 30 seconds East 33.66 feet and South 23 degrees 59 minutes 27 seconds East 190.07 feet to the place of beginning.

Containing 77,624.00 square feet or 1.782 acres of land, more or less.

The hereinabove described two parcels of land being portions of the tract of land conveyed by George R. Willis and wife to the Mayor and City Council of Baltimore by deed dated March 23, 1907, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 311, folio 530.

Together with slope easements varying in width from 0.0 feet to 13 feet along the west side of Merritt Boulevard, and extending from the Philadelphia, Baltimore and Washington Railroad Right-of-way, southerly for a distance of about 290 feet and to grant unto Baltimore County rights-of-way varying in width from 20 feet to 10 feet, required for the installation and maintenance of a 16-inch force main and a 30-inch force main, and described as follows:

Beginning for the same at the point formed by the intersection of the northeast side of North Point Road, 150 feet wide, and the west side of a 20-foot Right-of-way, said point being distant 72.83 feet southeasterly from the point formed by the intersection of the northeast side of said North Point Road and the first line of the parcel of land conveyed by Frederick H. Nordburch, et al. to the Mayor and City Council of Baltimore by deed, dated March 21, 1930 and recorded among the Land Records of Baltimore County in Liber L.McLM. No. 847, folio 247, and running thence binding on the west side of said 20-foot Right-of-way the two following courses and distances, namely, North 5 degrees 35 minutes 20 seconds East 1279.99 feet and by a line

curving to the right, with a 1477.0 foot radius northerly 218.69 feet; thence still binding on the west side of said Right-of-way and continuing the same course binding on the west side of a 10-foot Right-of-way North 14 degrees 04 minutes 20 seconds East, in all, 228.80 feet to intersect the City Outfall Sewer; thence binding on said Outfall Sewer South 87 degrees 39 minutes 45 seconds East 10.21 feet to intersect the east side of said 10-foot Right-of-way; thence binding on the east side of said 10-foot right-of-way South 14 degrees 04 minutes 20 seconds West 136.05 feet to intersect the northwest side of another 10-foot Right-of-way; thence binding on the northwest side of said last mentioned 10-foot Right-of-way North 57 degrees 17 minutes 15 seconds East 212.21 feet to intersect the west side of said Right-of-way; thence binding on the west side of said Right-of-way North 2 degrees 17 minutes 15 seconds East 11.33 feet to intersect the said Outfall Sewer; thence binding on said Outfall Sewer South 87 degrees 39 minutes 45 seconds East 10.0 feet to intersect the east side of said 10-foot Right-of-way; thence binding on the east and southeast sides of said 10-foot Right-of-way the two following courses and distances, namely, South 2 degrees 17 minutes 15 seconds West 16.53 feet and South 57 degrees 17 minutes 15 seconds West 213.46 feet to intersect the east side of said 20-foot Right-of-way; thence binding on the east side of said 20-foot Right-of-way the three following courses and distances, namely, South 14 degrees 04 minutes 20 seconds West 90.85 feet, by a line curving to the left, with a 1457.0 foot radius, southerly the distance of 215.73 feet and South 5 degrees 35 minutes 20 seconds West 1288.57 feet to intersect the northeast side of said North Point Road and thence binding on the northeast side of said North Point Road the two following courses and distances, namely North 60 degrees 51 minutes 17 seconds West 10.91 feet and North 61 degrees 31 minutes 55 seconds West 10.85 feet to the place of beginning.

Containing 35,455.00 square feet or 0.814 acres of land, more or less.

The hereinabove described right-of-way being portions of two tracts of land (1) conveyed by Frederick H. Nordburch, et al., to the Mayor and City Council of Baltimore by deed dated March 21, 1930, and recorded among the Land Records of Baltimore County in Liber LMcLM No. 847, folio 247, and (2) by George R. Willis and wife to the Mayor and City Council of Baltimore by deed dated March 23, 1907, and recorded among the aforesaid Land Records in Liber W.P.C. No. 311, folio 530.

Saving and excepting therefrom so much of the said Right-of-way, 20 feet wide, which lies within the outlines of the Philadelphia, Baltimore and Washington Railroad Right-of-way.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The land for the bed of Merritt Boulevard, the slope easements and the right-of-way being more particularly shown on survey plat prepared by the Bureau of Surveys of Baltimore City, dated October 3, 1960, numbered 220-A-12-A, on file in the office of the Bureau of Surveys.

Said property to be granted for the bed of Merritt Boulevard being no longer needed for public use and the exclusive use of the land granted for slopes and rights-of-way being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1399

(Council No. 2140)

An ordinance to repeal and reordain with amendments Section 2 of Ordinance No. 1238, approved June 6, 1962, entitled "An ordinance granting permission and authority to Williams and Wilkens Company, a body corporate, to construct, maintain, and use a 3-story enclosed superstructure or bridgeway, above and across Hunter Alley, about 125 feet north of East Preston Street," changing the minimum clearance permitted over Hunter Alley by said ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 2 of Ordinance No. 1238, approved June 6, 1962, entitled "An ordinance granting permission and authority to Williams & Wilkens Company, a body corporate, to construct, maintain, and use a 3-story enclosed superstructure or bridgeway above and across Hunter Alley, about 125 feet north of East Preston Street", be and it is hereby repealed and reordained, with amendments, to read as follows:

"SECTION 2. *And be it further ordained*, That the center line of said superstructure or bridgeway shall be located approximately 125 feet north of the north building line of East Preston Street.

The superstructure or bridgeway shall be approximately 20 feet long, 30 feet wide, and 43 feet high, and no part of the said superstructure or bridgeway shall be less than 13 feet above the surface of said Hunter Alley.

"The said grantee, its successors and assigns, shall post and keep posted the clearance on both sides of the bridgeway as long as said structure remains in and above Hunter Alley.

"No woodwork or other combustible materials shall be used in the construction or maintenance of said superstructure or bridgeway and said structure

shall be constructed in all respects in accordance with the Building Code of Baltimore City and shall be constructed, completed and maintained under the supervision and to the satisfaction of the Building Inspection Engineer of Baltimore City and shall be, at all times hereafter, subject to regulation and control of the said Building Inspection Engineer."

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1400

(Council No. 2207)

An ordinance to add a new Section 128(1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", said new section immediately to precede Section 128(1) thereof, regulating the parking of vehicles on the north side of Jefferson Street between Washington Street and the first alley westerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 128(1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", said new section immediately to precede Section 128(1) thereof, and to read as follows:

128.

(1/2) No vehicle is permitted to be parked between the hours of 8 A.M. and 6 P.M. on any day except Saturday and Sunday on the north side of Jefferson Street, between Washington Street and the first alley westerly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1401

(Council No. 2208)

An ordinance to add Section 109 (24a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 109(24) thereof, making Ploy Street, from Saratoga Street to Pleasant Street, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 109 (24a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 109 (24) thereof, and to read as follows:

109.

(24a) Ploy Street, from Saratoga Street to Pleasant Street, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1402

(Council No. 2209)

An ordinance to add a new Section 119 (42a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 119 (42) thereof, prohibiting the parking of vehicles on the southerly side of Argonne Drive, between a point 700 feet easterly from Hillen Road and a point 980 feet easterly from Hillen Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 119 (42a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 119 (42) thereof, and to read as follows:

119.

(42a) No vehicle is permitted to be parked at any time on the southerly side of Argonne Drive, between a point 700 feet easterly from Hillen Road and a point 980 feet easterly from Hillen Road.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1403

(Council No. 2210)

An ordinance to add a new Section 126 (73c) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section

126(73b) thereof, prohibiting the stopping of vehicles on the north side of Homeland Avenue, between Charles Street and a point 100 feet easterly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 126(73c) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 126(73b) thereof, and to read as follows:

126.

(73c) No vehicle is permitted to be stopped at any time on the north side of Homeland Avenue between Charles Street and a point 100 feet easterly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1404

(Council No. 2211)

An ordinance to repeal Section 134(25a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 993, approved December 11, 1961, repealing the ordinance which regulates the stopping of vehicles on Perring Parkway, between Hillen Road and Hillenwood Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 134(25a) of Article 38 of the Baltimore City Code (1950 Edi-

tion), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 993, approved December 11, 1961, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1405

(Council No. 2212)

An ordinance to repeal Section 121(60a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 685, approved May 8, 1953, and to ordain in lieu thereof new Sections 121(60a) and 121(60b), to stand in the place of the section so repealed, revising the provisions concerning the standing, parking, and stopping of vehicles on certain portions of Chesley Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 121(60a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 685, approved May 8, 1953, be and it is hereby repealed; and that new Sections 121(60a) and 121(60b) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

121.

(60a) No vehicle is permitted to be parked at any time on the northerly side of Chesley Avenue, from

the intersection of Harford Road to a point opposite the first driveway easterly therefrom.

(60b) No vehicle is permitted to be stopped at any time on the southerly side of Chesley Avenue from the intersection of Harford Road to the first driveway easterly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1406

(Council No. 2213)

An ordinance to repeal Section 133 (26) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 514, approved December 10, 1952, repealing the ordinance which regulates the standing of vehicles on the north side of Overlea Avenue between Cedonia Avenue and a point 135 feet westerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 133 (26) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance 514, approved December 10, 1952, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1407

(Council No. 2214)

An ordinance to repeal Section 130 (55a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No. 1082, approved May 28, 1954, and to ordain in lieu thereof a new Section 130 (55a) to stand in the place of the section so repealed, revising the provisions concerning the stopping of vehicles on certain portions of Loch Raven Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 130 (55a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", as said section was ordained by Ordinance No. 1082, approved May 28, 1954, be and it is hereby repealed; and that a new Section 130 (55a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

130.

(55a) No vehicle is permitted to be stopped between the hours of 7 A. M. and 10 A. M. on any day on the westerly side of Loch Raven Road from Twenty-fifth Street to a point 478 feet northerly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1408

(Council No. 2215)

An ordinance to add Section 116 (1/2) to Article 38 of the Baltimore City Code (1950 Edition),

title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 116 thereof, making Walpert Street, from Loch Raven Road to Twenty-fifth Street, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 116 (1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 116 thereof, and to read as follows:

116.

(1/2) Walpert Street, from Loch Raven Road to Twenty-fifth Street, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a southeasterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1409

(Council No. 2216)

An ordinance to add Section 112(24a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 112(24) thereof, making Spruce Street, from Belair Road to the City Line, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 112(24a) be and

it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 112(24) thereof, and to read as follows:

112.

(24a) Spruce Street, from Belair Road to the City Line, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1410

(Council No. 2217)

An ordinance to add Section 99 (9a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 99 (9) thereof, making Fleetwood Avenue, from Walther Parkway to Belair Road, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 99 (9a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 99 (9) thereof, and to read as follows:

99.

(9a) Fleetwood Avenue, from Walther Parkway to Belair Road, is hereby declared to be a one-way

street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1411

(Council No. 2218)

An ordinance to add Section 107 (7a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 107 (7) thereof, making Northern Parkway, from the City Line to Walther Parkway, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 107 (7a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulation", sub-title "One-Way Streets", said new section to follow immediately after Section 107 (7) thereof, and to read as follows:

107.

(7a) Northern Parkway, from the City Line to Walther Parkway, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1412

(Council No. 2219)

An ordinance to add a new Section 134(8a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 134(8) thereof, regulating the stopping of vehicles on the east side of Park Heights Avenue, between Northern Parkway and Ingleside Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 134(8a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", to follow immediately after Section 134(8) thereof, and to read as follows:

134.

(8a) No vehicle is permitted to be stopped between the hours of 4 P.M. and 6:30 P.M. on any day on the east side of Park Heights Avenue between Northern Parkway and Ingleside Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1413

(Council No. 2220)

An ordinance to add Section 104(1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 104 thereof, making Ken Oak Road,

from Stuart Avenue to Pimlico Road, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 104(1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 104 thereof, and to read as follows:

104.

(1/2). Ken Oak Road, from Stuart Avenue to Pimlico Road, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1414

(Council No. 2221)

An ordinance to add Section 104(1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section to follow immediately after Section 104 thereof, making Ken Oak Road, from Northern Parkway to Stuart Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 104(1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", said new section

to follow immediately after Section 104 thereof, and to read as follows:

104.

(1/2) Ken Oak Road, from Northern Parkway to Stuart Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1415

(Council No. 2222)

An ordinance to repeal Section 94(18a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", as said section was ordained by Ordinance 1210, approved October 28, 1954, and to ordain a new Section 94(18a) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the one-way street ordinance applicable to the alley north of Rogers Avenue, between Lynview Avenue and Nome Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 94(18a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", as said section was ordained by Ordinance 1210, approved October 28, 1954, be and it is hereby repealed; and that a new Section 94(18a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

94.

(18a). The alley north of Rogers Avenue between Lynview Avenue and Nome Avenue is a one-way street for vehicular traffic and shall be used by such traffic in a southwesterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1416

(Council No. 2223)

An ordinance to repeal Section 136(25a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets," as said section was ordained by Ordinance 611, approved March 9, 1953, and to repeal Ordinance 123, approved December 11, 1951, repealing ordinances which concern the standing of vehicles on certain portions of the east side of Richardson Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 136(25a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", as said section was ordained by Ordinance 611, approved March 9, 1953, be and it is hereby repealed; and that Ordinance 123, approved December 11, 1951, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1417

(Council No. 2224)

An ordinance to repeal Section 100 (9) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", and to ordain new Sections 100 (9) and 100 (9a) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the one-way ordinance applicable to certain portions of Glyndon Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 100 (9) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "One-Way Streets", be and it is hereby repealed; and that new Sections 100 (9) and 100 (9a) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

100.

(9). Glyndon Avenue, from Ostend Street to Carey Street, is a one-way street for vehicular traffic and shall be used for such traffic in a northeasterly direction only.

(9a). Glyndon Avenue, from Carey Street to Bayard Street, is a one-way street for vehicular traffic and shall be used for such traffic in a southwesterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1418

(Council No. 2225)

An ordinance to repeal Sections 121(41c) and 121 (41d) of Article 38 of the Baltimore City Code

(1950 Edition), title "Traffic Regulations", subtitle "Parking", as said sections were ordained by Ordinance 914, approved May 31, 1957; and to ordain new Sections 121(41c) and 121(41d) in lieu thereof, to stand in the place of the sections so repealed, revising the provisions concerning the parking and stopping of vehicles on certain portions of the east side of Charles Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 121(41c) and 121(41d) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", subtitle "Parking", as said sections were ordained by Ordinance 914, approved May 31, 1957, be and they are hereby repealed; and that new Sections 121(41c) and 121(41d) be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

121.

(41c). No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. and between the hours of 4 P.M. and 6 P.M. on any day on the east side of Charles Street, between Lee Street and Hamburg Street; and between the hours of 9 A.M. and 4 P.M. on any day, no vehicle is permitted to be parked longer than two hours continuously on this portion of the east side of Charles Street.

(41d). No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. on any day on the east side of Charles Street between Hamburg Street and Barney Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1419

(Council No. 2226)

An ordinance to repeal Section 141 (45) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", and to ordain in lieu thereof new Sections 141 (45) and 141 (45), to stand in the place of the section so repealed, revising the provisions concerning the standing and parking of vehicles on certain portions of Wicomico Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 141 (45) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations", sub-title "Parking", be and it is hereby repealed; and that new Sections 141 (45) and 141 (45a) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

141.

(45). No vehicle is permitted to be parked at any time on the south side Wicomico Street between Bush Street and Bayard Street.

(45a) No vehicle is permitted to be parked at any time on the north side of Wicomico Street between Bayard Street and Ostend Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 28, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1420

(Council No. 2137)

An ordinance to repeal and reordain with amendments Sections 2, 3 and 4 of Article 7 of the Balti-

more City Code (1950 Edition), title "Courts," and to add a new Section 5 to the said Article of the Code, to follow immediately after Section 4 thereof, increasing the additional pensions payable by the Mayor and City Council of Baltimore to retired judges of the Supreme Bench of Baltimore City and to retired judges of the Court of Appeals from Baltimore City, relating to the conditions and procedures for the payment of such pensions, and providing for payments to the widows of such judges.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 2, 3 and 4 of Article 7 of the Baltimore City Code (1950 Edition), title "Courts", be and they are hereby repealed and reordained with amendments to read as follows:

2. Any elected Judge of the Supreme Bench of Baltimore City whose active service is terminated, if he is then at least sixty years of age or when he becomes sixty years of age, shall be paid a pension calculated at the rate of Three Hundred and Seventy-five Dollars (\$375.00) per annum for each year, or any part thereof, of active service, by appointment as well as election on the Supreme Bench of Baltimore City, up to and including sixteen (16) years of such active service, it being intended that the maximum additional pension to be paid by the Mayor and City Council of Baltimore to any former Judge of the Supreme Bench for services on the Supreme Bench, shall not exceed the sum of Six Thousand Dollars (\$6,000) per annum.

3. Any elected judge of the Court of Appeals of Maryland from Baltimore City whose active service is terminated, if he is then at least sixty years of age or when he becomes sixty years of age, shall be paid a pension calculated at the rate of Five Hundred Dollars (\$500.00) per annum for each year, or any part thereof, of active service, by appointment as well as election, on the Court of Appeals of Maryland, up to and including sixteen (16) years of such

active service, it being intended that the maximum additional pension to be paid by the Mayor and City Council to any former judge of the Court of Appeals of Maryland from Baltimore City shall not exceed the sum of Eight Thousand Dollars (\$8,000) per annum.

In the event that any former judge has served on the Supreme Bench of Baltimore City and also on the Court of Appeals of Maryland, after having been elected to either one of said courts, the amount of his annual pension shall be based on his service on both courts, with first consideration to service by appointment and by election on the Court of Appeals.

4.

(a) No appropriations for pensions of judges may be paid except under the provisions of this Article.

(b) At the time of retirement of any judge, he shall notify the Mayor and Comptroller whether he does or does not desire to receive the pension payments provided by this Article. Any judge who engages in the practice of law or receives a salary or other remuneration for engaging in any other gainful employment at any time following his retirement shall not at any time thereafter, whether or not he remains so engaged, receive a pension under the provisions of this Article.

(c) A retired judge who has been receiving pension payments under the provisions of this Article and who desires to engage in the practice of law or other gainful employment shall notify the Mayor and Comptroller of such fact. On the indicated date of his engaging in the practice of law or other gainful employment all payments to him of a pension under this Article shall cease. A retired judge who has been receiving pension payments and who thereafter engages in the practice of law or in other gainful employment shall never again be paid a pension under this Article.

(d) An elected judge who because of incapacitating illness is required to resign his position prior to reaching his sixtieth birthday is entitled to benefits under the provisions of this Article, but in no event in a sum greater than was provided in this Article at the time he resigned. Except for a judge who resigned prior to the effective date of this ordinance, or who resigns because of incapacitating illness, no other judge who resigns prior to reaching his sixtieth birthday is entitled to any pension under the provisions of this Article.

5. The widow of every elected judge, for whom a pension or salary is provided under Section 2 or Section 3 above, who dies in active service, shall be paid one-half of the pension or salary to which such judge would have been entitled on the date of his death if he had been eligible for retirement and had retired on said date irrespective of whether he shall have attained the age of 60 at the date of his death. The widow of every elected judge who dies after retiring shall be paid one-half of the pension or salary which such judge was receiving at the date of his death. In order to be entitled to the pension or salary provided by this section, a widow of a judge who dies during active service shall have been married to him for a period of not less than three years prior to his death, and, in the case of the death of a retired judge, not less than three years before his retirement. A widow who is entitled to a pension or salary under the provisions of this section shall be paid for the period of her life unless she remarries, in which event the pension or salary is to cease and terminate. The provisions of this section shall not apply to widows of judges who have died prior to the effective date of this ordinance.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1421

(Council No. 2141)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway and appurtenant utility purposes, namely, for the opening, grading, construction and maintenance of (1) LaPlata Avenue, 50 feet wide, from the northeast side of Woodheights Avenue as proposed to be opened hereunder, southwesterly 299.79 feet to the north end of LaPlata Avenue as proposed to be opened under a deed of trust now held by the Mayor and City Council of Baltimore, said north end being also the Northern Boundary Line of Baltimore City, established 1888, (2) Woodheights Avenue, 50 feet wide from LaPlata Avenue as proposed to be opened hereunder southeasterly 127.75 feet to Woodheights Avenue as now laid out and (3) an Easement for underground utilities 15 feet wide, extending southwesterly, from the west side of LaPlata Avenue as proposed to be opened hereunder at a point 379.97 feet southwest of the southwest side of Woodheights Avenue as proposed to be opened hereunder, produced northwesterly, 144.48 feet to the eastern outline of the Jones Falls Expressway as authorized under Ordinance No. 476, approved June 7, 1956; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, grading, construction and maintenance of said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement; and authorizing the making of all necessary agreements concerning said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Ease-

ment; and authorizing the construction of said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement; the location and course of said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement being shown on a plat thereof numbered 158-A-72a, prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the first (1st) day of October, 1962.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or condemnation for public highway and appurtenant utility purposes, namely, for the opening, grading, construction and maintenance of (1) LaPlata Avenue, 50 feet wide, from the northeast side of Woodheights Avenue as proposed to be opened hereunder southwesterly 299.79 feet to the north end of LaPlata Avenue as proposed to be opened under a deed of trust now held by the Mayor and City Council of Baltimore, said north end being also the Northern Boundary Line of Baltimore City established 1888, (2) Woodheights Avenue, 50 feet wide, from LaPlata Avenue as proposed to be opened hereunder southeasterly 127.75 feet to Woodheights Avenue as now laid out and (3) an Easement for underground utilities, 15 feet wide, extending southwesterly, from the west side of LaPlata Avenue as proposed to be opened hereunder at a point 379.97 feet southwest of the southwest side of Woodheights Avenue as proposed to be opened hereunder produced northwesterly, 144.48 feet to the eastern outline of the Jones Falls Expressway, as authorized under Ordinance No. 476 approved June 7, 1956; the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City including the improvements thereon, bounded as follows:

Beginning for LaPlata Avenue as proposed to be opened hereunder at the point formed by the inter-

section of the northeast side of Woodheights Avenue, as proposed to be opened hereunder, 50 feet wide, and the southeast side of said LaPlata Avenue, 50 feet wide and running thence binding on the southeast side of said LaPlata Avenue the three following courses and distances, namely, South $11^{\circ}-30'-00''$ West 14.08 feet, by a line curving to the right, with a 231.98 foot radius, the distance of 36.24 feet which arc is subtended by a chord bearing South $15^{\circ}-58'-32.5''$ West 36.21 feet and South $20^{\circ}-27'-05''$ West 240.21 feet to the north end of LaPlata Avenue as proposed to be opened under a deed of trust now held by the Mayor and City Council of Baltimore said north end being also the Northern Boundary Line of Baltimore City established 1888; thence binding on the north end of said LaPlata Avenue and on said Northern Boundary Line established 1888, North $89^{\circ}-59'-42''$ West 52.77 feet to intersect the northwest side of LaPlata Avenue; as proposed to be opened hereunder, thence binding on the northwest side of said LaPlata Avenue, the four following courses and distances, namely, by a line curving to the right, with a 227.17 foot radius the distance of 15.87 feet, which arc is subtended by a chord bearing North $18^{\circ}-26'-59.5''$ East 15.87 feet, North $20^{\circ}-27'-05''$ East 242.79 feet, by a line curving to the left, with a 181.98 foot radius, the distance of 28.43 feet, which arc is subtended by a chord bearing North $15^{\circ}-58'-32.5''$ East 28.41 feet and North $11^{\circ}-30'-00''$ East 21.95 feet to intersect the line of the northeast side of said Woodheights Avenue as proposed to be opened hereunder produced northwesterly and thence reversing the line of the northeast side of said Woodheights Avenue, so produced, and binding thereon South $69^{\circ}-32'-55''$ East 50.60 feet to the place of beginning.

Beginning for Woodheights Avenue as proposed to be opened hereunder at the point formed by the intersection of the southeast side of LaPlata Avenue as proposed to be opened hereunder, 50 feet wide, and the northeast side of said Woodheights Avenue, 50 feet wide and running thence binding on the

northeast side of said Woodheights Avenue the two following courses and distances, namely, South $69^{\circ}-32'-55''$ East 87.52 feet and by a line curving to the left, with a 210.00 foot radius, the distance of 42.78 feet, which arc is subtended by a chord bearing South $75^{\circ}-23'-08.5''$ East 42.71 feet to intersect the northwest end of Woodheights Avenue, as now laid out; thence crossing said Woodheights Avenue South $20^{\circ}-27'-05''$ West 50.85 feet to intersect the southwest side of Woodheights Avenue as proposed to be opened hereunder; thence binding on the southwest side of said Woodheights Avenue the two following courses and distances, namely, by a line curving to the right, with a 260.00 foot radius, the distance of 42.69 feet, which arc is subtended by a chord bearing North $74^{\circ}-15'-06''$ West 42.64 feet and North $69^{\circ}-32'-55''$ West 82.50 feet to intersect the southeast side of said LaPlata Avenue and thence binding on the southeast side of said LaPlata Avenue, the two following courses and distances, namely, by a line curving to the left, with a 231.98 foot radius the distance of 36.24 feet, which arc is subtended by a chord bearing North $15^{\circ}-58'-32.5''$ East 36.21 feet and North $11^{\circ}-30'-00''$ East 14.08 feet to the place of beginning.

Beginning for the 15 foot Easement to be acquired hereunder at the point formed by the intersection of the south side of said proposed 15 foot Easement or the Northern Boundary Line of Baltimore City established 1888 and the west side of LaPlata Avenue, as proposed to be opened hereunder, 50 feet wide, said point being distant 258.66 feet southwesterly, measured along the northwest side of said LaPlata Avenue from the point formed by the intersection of the northwest side of said LaPlata Avenue, as proposed to be opened hereunder, and the southwest side of Woodheights Avenue, as proposed to be opened hereunder, 50 feet wide, produced northwesterly and running thence binding on the south side of said 15 foot Easement and along the Northern Boundary of Baltimore City established 1888 North

89°-59'-42" West 138.95 feet to intersect the east outline of the Jones Falls Expressway, as authorized under Ordinance No. 476, approved June 7, 1956; thence binding on the east outline of said Jones Falls Expressway North 01°-40'-00" East 15.01 feet to intersect a line drawn parallel with and distant 15.0 feet northerly, measured at right angles from the first line of this description; thence reversing said line so drawn and binding thereon South 89°-59'-42" East 143.51 feet to intersect the northwest side of said LaPlata Avenue and thence binding on the northwest side of said LaPlata Avenue by a line curving to the left, with a 227.17 foot radius the distance of 15.81 feet, which arc is subtended by a chord bearing South 18°-26'-33.5" West 15.81 feet to the place of beginning.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, grading, construction and maintenance of said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement the Location and course of said (1) LaPlata Avenue (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement being shown on a plat thereof numbered 158-A-72a, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the first (1st) day of October, 1962.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained*, That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of

Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interests or such other interests as the said director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement.

SEC. 3. *And be it further ordained*, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained*, That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and

all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of or in connection with said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said (1) LaPlata Avenue, (2) Woodheights Avenue and (3) the aforementioned 15 foot Easement Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1422

(Council No. 2246)

An ordinance to repeal Section 162(1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," as ordained by Ordinance 1291, approved June 25, 1962, repealing the ordinance which provides for the installation and operation of parking meters on the north side of Aliceanna Street, between Broadway and Ann Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 162(1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," as ordained by Ordinance 1291, approved June 25, 1962, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1423

(Council No. 2247)

An ordinance to repeal Section 124(24a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section having been ordained by Ordinance 249, approved April 7, 1952, repealing the ordinance regulating the standing of vehicles on Fleet Street, between Bond Street and Ann Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 124(24a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section having been ordained by ordinance 249, approved April 7, 1952, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1424

(Council No. 2248)

An ordinance to repeal Section 124(16b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section having been ordained by Ordinance 1771, approved January 2, 1959, and regulating the stopping of vehicles on the south side of Fayette Street, between Broadway and Conkling Street; and to ordain a new Section 124(16b) in lieu thereof, to stand in the place of the section so repealed, regulating the stopping of vehicles on the south side of Fayette Street between Broadway and Highland Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 124(16b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section having been ordained by Ordinance 1771, approved January 2, 1959, be and it is hereby repealed; and that new Section 124(16b) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

124.

(16b) It is unlawful to stop a vehicle between the hours of 4 P.M. and 6 P.M. on any day on the south side of Fayette Street between Broadway and Highland Avenue.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor.*

No. 1425

(Council No. 2249)

An ordinance to repeal Section 133(3f) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1180, approved December 20, 1957, said section prohibiting the parking of vehicles on O'Donnell Street, beneath the overpass between the first railroad tracks east of Haven Street and the second railroad tracks east of Haven Street; and to ordain a new Section 133(3f) in lieu thereof, to stand in the place of the section so repealed, making it unlawful to park a vehicle at any time on either side of O'Donnell Street, between the first railroad track east of Haven Street and the intersection of Kresson Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 133(3f) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1180, approved December 20, 1957, be and it is hereby repealed; and that new Section 133(3f) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

133.

(3f) It is unlawful to park a vehicle at any time on either side of O'Donnell Street, between the first railroad track east of Haven Street and the intersection of Kresson Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1426

(Council No. 2250)

An ordinance to repeal Section 96(60a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 588, approved October 25, 1956, repealing the ordinance making a one-way street for vehicular traffic of Constitution Street, from Madison Street to Monument Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 96(60a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 588, approved October 25, 1956, be and it is hereby repealed.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, Mayor.

No. 1427

(Council No. 2251)

An ordinance to add a new Section 134(4a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section to follow immediately after Section 134(4) thereof, prohibiting the stopping of vehicles at any time on the west side of Park Avenue, between Chase Street and Biddle Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 134(4a)

be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section to follow immediately after Section 134(4) thereof, and to read as follows:

134.

(4a) It is unlawful to stop a vehicle at any time on the west side of Park Avenue, between Chase Street and Biddle Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1428

(Council No. 2252)

An ordinance to ordain new Sections 130(39a) and 130(39b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130(39) thereof, regulating the stopping and parking of vehicles on certain portions of Liberty Heights Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Sections 130(39a) and 130(39b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and they are hereby ordained, to follow immediately after Section 130(39) thereof, and to read as follows:

130.

(39a) It is unlawful to stop a vehicle between the hours of 7 A.M. and 9 A.M. on any day on the

southerly side of Liberty Heights Avenue, between Reisterstown Road and Auchentoroly Terrace.

(39b) It is unlawful to park a vehicle between the hours of 7 A.M. and 7 P.M. on any day on the northerly side of Liberty Heights Avenue, between Reisterstown Road and Auchentoroly Terrace.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1429

(Council No. 2253)

An ordinance to repeal Section 95(5a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 608, approved November 3, 1956, and making Beechland Avenue, from McLean Boulevard to Old Harford Road, a one-way street for vehicular traffic; and to ordain a new Section 95(5a) in lieu thereof, to stand in the place of the section so repealed, making a one-way street of Beechland Avenue, between Tramore Road and Old Harford Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 95(5a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 608, approved November 3, 1956, be and it is hereby repealed; and that a new Section 95(5a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

95.

(5a) Beechland Avenue, from Tramore Road to Old Harford Road, is a one-way street for vehicular traffic and shall be used by such traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1430

(Council No. 2254)

An ordinance to repeal Section 101(21a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 1681, approved November 21, 1958, and to ordain a new Section 101(21a) in lieu thereof, to stand in the place of the section so repealed, revising the one-way street provisions applicable to Hillcrest Avenue, between the Baltimore City Line and Harford Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 101(21a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 1681, approved November 21, 1958, be and it is hereby repealed; and that a new Section 101(21a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

101.

(21a) Hillcrest Avenue, from the Baltimore City Line to Harford Road, is a one-way street for

vehicular traffic and shall be used by such traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1431

(Council No. 2255)

An ordinance to repeal Section 130(4a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 621, approved March 20, 1953; to repeal Section 130(4a) of said Article and subtitle, as ordained by Ordinance 1830, approved February 20, 1959; to repeal Sections 130(4b) and 130(4e) of said Article and subtitle, as ordained by Ordinance 813, approved April 9, 1957; to repeal Sections 130(4c) and 130(4d) of said Article and subtitle, as ordained by Ordinance 845, approved June 2, 1961; and to repeal Section 130(4f) of said Article and subtitle, as ordained by Ordinance 260, approved May 16, 1960; repealing a series of ordinances regulating the standing, stopping, and parking of vehicles on certain portions of Lafayette Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 130(4a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 621, approved March 20, 1953, be and it is hereby repealed; that Section 130(4a) of said

Article and subtitle, as ordained by Ordinance 1830, approved February 20, 1959, be and it is hereby repealed; that Sections 130(4b) and 130(4e) of said Article and subtitle, as ordained by Ordinance 813, approved April 9, 1957, be and it is hereby repealed; that Sections 130(4c) and 130(4d) of said Article and subtitle, as ordained by Ordinance 845, approved June 2, 1961, be and it is hereby repealed; and that Section 130(4f) of said Article and subtitle, as ordained by Ordinance 260, approved May 16, 1960, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1432

(Council No. 2256)

An ordinance to add a new Section 134(75a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 134(75) thereof, regulating the stopping of vehicles on the north side of Pratt Street, between Carey Street and Gilmor Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 134(75a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section to follow immediately after Section 134(75) thereof, and to read as follows:

134.

(75a) It is unlawful to stop a vehicle between the hours of 7 A.M. and 9 A.M. on any day on the north

side of Pratt Street, between Carey Street and Gilmor Street

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved November 30, 1962.

J. HAROLD GRADY, *Mayor*.

No. 1433

(Council No. 2191)

An ordinance approving, and directing the Mayor to execute, a certain contract between the Mayor and City Council of Baltimore and the Baltimore Transit Company relating to the Company's placing into service of buses and ceasing fixed-wheel (streetcar) operations, providing for the discharge by the City of the company's obligation, if any, to repave any streets, providing for the company's removal of poles, wires and overhead structures, and providing for the grant by the City to the company of an annual tax credit for seven years, all as contained in said contract, which contract is set out in this Ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the following contract between the Mayor and City Council of Baltimore and the Baltimore Transit Company be and the same is hereby approved, and the Mayor of Baltimore be and is hereby authorized, empowered and directed to execute and deliver the same on behalf of the Mayor and City Council of Baltimore as its contract:

THIS AGREEMENT, Made this day of October, 1962, upon the mutual consideration hereinafter set forth, by and between the Mayor and

City Council of Baltimore, a municipal corporation (sometimes hereinafter referred to as "the City") and The Baltimore Transit Company, a Maryland corporation (sometimes hereinafter referred to as "the Company").

WITNESSETH:

1. The Company shall purchase and place into service as soon as the same are obtainable, but in no event later than January 1, 1964, and thereafter shall operate, a minimum of one hundred and one (101) new air-conditioned buses (capacity of each bus to be not less than 51 persons). The one hundred and one (101) new buses referred to above shall be in addition to whatever number of buses the Company would normally operate if the Company were still operating the same fixed-wheel (streetcar) routes as on October 31, 1962.

2. In any and all events, the use of all fixed-wheel (streetcar) operations of the Company within the City of Baltimore shall cease on January 1, 1964, or when all of the one hundred and one (101) new buses referred to in Paragraph 1 of this Agreement shall have been placed into service, whichever event shall first occur.

3. Upon the Company's compliance with Paragraphs 1 and 2 of this Agreement by the date therein specified, the City does hereby discharge all liabilities and obligations, if any, of the Company to restore paving on, or pave or repave at any future time, any section of any street where the Company has abandoned fixed-wheel operations pursuant to Paragraph 2 of this Agreement; provided, however, that upon cessation of fixed-wheel operations in any street or portion thereof the Company shall with reasonable diligence and at its own expense remove all poles, wires and overhead structures related to fixed-wheel operations, other than those poles that the City may designate to remain in place. In connection with removing any poles, wires and overhead structures the Company shall repair as in the

past at its own expense any damage to the pavement or streets caused by such removal. Anything herein to the contrary, notwithstanding, the Company shall, prior to the actual abandonment of any section of any such street, continue to maintain and repair paving in the track area in the same manner as now required under existing franchises, agreements and ordinances.

4. Promptly after the Company shall abandon fixed-wheel (streetcar) operation on any street or way, the Company shall convey to the City all the Company's right, title and interest in and to the street or way (including rails thereon and the right to any overhead or underground easements appurtenant thereto) in which such cessation occurs.

5. Nothing in this Agreement shall be deemed to alter the Company's now existing obligations to continue payment of the annual 3% tax on its gross revenues and the annual 10% tax on its net income (unless subsequently modified by agreement, ordinance or statute), except that beginning January 1, 1964, and for a period of seven (7) years ending December 31, 1970, the City shall grant and apply a special tax credit of \$285,544.00 per year against the annual 3% gross receipts tax aforesaid paid by the Company to the City. It is expressly understood that the Company's compliance with Paragraphs 1 and 2 of this Agreement within the time specified is a condition precedent to the annual tax credit referred to above.

6. The terms of this Agreement shall inure to the benefit of and be binding upon the Company, its successors and assigns.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be duly executed on their respective behalfs, with their corporate seals attached; its execution on behalf of the City having been authorized by Ordinance, and on behalf of the

Company by its Board of Directors who are empowered so to do.

Test:

.....
Mayor and City Council of Baltimore

By.....
Mayor

Test:

.....
The Baltimore Transit Company

By.....
President

Approved as to Form and Legal Sufficiency

.....
City Solicitor

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 5, 1962.

J. HAROLD GRADY, *Mayor*.

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No. 1434

(Council No. 2319)

An ordinance to repeal Section 5 of Ordinance No. 1835, approved March 2, 1959, said section providing for published notice of said Ordinance in advance of the submitting of said Ordinance to the voters at the election of May 5, 1959.

Whereas by Ordinance No. 1835, approved March 2, 1959, the Commissioners of Finance were authorized and directed to issue certificates of indebtedness of the Mayor and City Council of Baltimore

to an amount not exceeding Eighteen Million Dollars (\$18,000,000.00) for the purchase of land and construction thereon of new school buildings and for related purposes stated in said Ordinance, which was approved by the voters of the City of Baltimore at the general election held on May 5, 1959; and whereas the said Ordinance contained a direction that a copy of it and notice that it would be on the ballot in said election should be published in at least two daily newspapers published in the City of Baltimore twice a week for two weeks before said election; and whereas such publication was, by oversight, omitted.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, that in view of publicity given in newspapers and by other means of the fact that Ordinance No. 1835, approved March 2, 1959, would be on the ballot in the general election of May 5, 1959, such publicity having satisfied the purpose of the requirement of published notice contained in said Ordinance, and in further view of the approval of said Ordinance by the voters by a margin of more than three to one, Section 5 of said Ordinance, directing that a copy thereof and notice of the time for holding said election should be published as therein provided, is hereby repealed, with the same effect as though the said Ordinance had not directed such publication and to the end and purpose that the said Ordinance shall stand approved notwithstanding the omission of publication.

SEC. 2. *And be it further ordained*, that this Ordinance shall take effect from the date of its passage.

Approved December 12, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1435

(Council No. 2240)

An ordinance entitled "The Ordinance of Estimates" for the year 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the following amounts are hereby appropriated for the "Departmental Estimates," "Estimates for New Improvements" and "Estimates for Annual Appropriations" of the Mayor and City Council of Baltimore for the year 1963.

LIST No. 1

"DEPARTMENTAL ESTIMATES"

**BALTIMORE CITY-ANNE ARUNDEL COUNTY
AIRPORT ZONING BOARD**

Salaries	\$4,735	
Expenses	750	
	<hr/>	\$5,485

**BALTIMORE CITY-ANNE ARUNDEL COUNTY
BOARD OF AIRPORT ZONING APPEALS**

Salaries	\$6,615	
Expenses	300	
	<hr/>	6,915

BALTIMORE CITY**ECONOMIC DEVELOPMENT COMMISSION**

Expenses		12,000
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**BALTIMORE EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

Salaries	\$44,292	
Expenses	10,000	
	<hr/>	54,292

BALTIMORE MUSEUM OF ART

Salaries	\$208,204	
Expenses	51,350	
	<u> </u>	259,554

BALTIMORE URBAN RENEWAL AND HOUSING AGENCY

(General Funds)

Salaries	\$242,924	
Expenses	204,810	
	<u> </u>	447,734

BALTIMORE YOUTH COMMISSION

Expenses		25,000
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BOARD OF BAIL BOND LICENSE COMMISSIONERS

Salaries	\$2,500	
Expenses	500	
	<u> </u>	3,000

BOARD OF LIQUOR LICENSE COMMISSIONERS

Salaries	\$176,374	
Expenses	16,000	
	<u> </u>	192,374

**BOARD OF TRUSTEES EMPLOYEES
RETIREMENT SYSTEM**

Salaries	\$72,120	
Expenses	19,000	
	<u> </u>	91,120

BUREAU OF MACHINE ACCOUNTING

Salaries	\$220,596	
Expenses	120,684	
	<u> </u>	341,280

CITY COUNCIL

Salaries	\$163,664	
Expenses	37,000	
	<u> </u>	200,664

CIVIL DEFENSE ORGANIZATION

Salaries	\$139,030	
Expenses	140,500	
		279,530

CIVIL SERVICE COMMISSION

Salaries	\$223,592	
Expenses	20,000	
		243,592

CIVIC CENTER COMMISSION

Salaries	\$134,554	
Labor	73,380	
Expenses	93,500	
		301,434

COMMISSION ON PROBLEMS OF THE AGED

Salaries	\$11,280	
Expenses	2,000	
		13,280

COURTS

Expenses—General:

Superior Court, Baltimore City Court, Court of Common Pleas, Criminal Court		470,500
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Division for Juvenile Causes:

Salaries	\$241,824	
Expenses	12,000	
		253,824

Orphans' Court:

Salaries	\$32,604	
Expenses	100	
		32,704

People's Court:

Salaries	\$311,816	
Expenses	45,500	
		357,316

Probation Department:

Salaries	\$429,690	
Expenses	24,000	
		453,690

Supreme Bench:

Salaries	\$611,814	
Expenses	12,000	
		623,814

ORDINANCES

509

Supreme Bench—Domestic Relations Division:

Salaries	\$98,540	
Expenses	4,000	
	<hr/>	102,540

Supreme Bench—Medical Division:

Salaries	\$85,530	
Expenses	1,000	
	<hr/>	86,530

DEPARTMENT OF ASSESSMENTS

Salaries	\$327,840	
Expenses	11,600	
	<hr/>	339,440

DEPARTMENT OF AUDITS

Salaries	\$181,670	
Expenses	7,750	
	<hr/>	189,420

DEPARTMENT OF AVIATION

Salaries	\$475,291	
Labor	235,563	
Expenses	489,080	
	<hr/>	1,199,934

DEPARTMENT OF EDUCATION

Salaries	\$57,454,398	
Labor	1,153,530	
Expenses	9,060,144	
	<hr/>	67,668,072

DEPARTMENT OF HEALTH

Salaries	\$3,026,141	
Expenses	4,183,715	
	<hr/>	7,209,856

DEPARTMENT OF LAW

Salaries	\$388,737	
Expenses	110,000	
	<hr/>	498,737

DEPARTMENT OF LEGISLATIVE REFERENCE

Salaries	\$67,548	
Expenses	17,750	
	<hr/>	85,298

DEPARTMENT OF MUNICIPAL AND ZONING APPEALS

Salaries	\$87,168	
Expenses	4,000	
	<hr/>	91,168

DEPARTMENT OF PLANNING AND ZONING COMMISSION

Salaries	\$329,609	
Expenses	64,220	
	<hr/>	393,829

DEPARTMENT OF PUBLIC WORKS

Salaries	\$6,172,207	
Labor	10,713,880	
Departmental Expenses	10,309,695	
	<hr/>	27,195,782

DEPARTMENT OF RECREATION AND PARKS

Salaries	\$1,951,183	
Labor	2,054,656	
Expenses	1,117,120	
	<hr/>	5,122,959

DEPARTMENT OF THE COMPTROLLER

Salaries	\$1,296,977	
Labor	11,540	
Expenses	693,110	
	<hr/>	2,001,627

DEPARTMENT OF THE TREASURER

Salaries	\$565,472	
Expenses	68,200	
	<hr/>	633,672

DEPARTMENT OF TRANSIT AND TRAFFIC

Salaries	\$1,020,812	
Expenses	950,656	
	<hr/>	1,971,468

DEPARTMENT OF WELFARE

General:		
Salaries	\$3,486,704	
Expenses	31,203,486	
	<hr/>	34,690,190
Outside Agencies		2,388,200
		<hr/>
Total		37,078,390
Department of Donable Food:		
Salaries	\$88,965	
Expenses	67,634	
	<hr/>	156,599
Baltimore City Hospitals:		
Salaries	\$6,903,649	
Expenses and Provisions	3,540,708	
	<hr/>	10,444,357
Total, Department of Welfare		47,679,346

ENOCH PRATT FREE LIBRARY

Salaries	\$2,564,571	
Expenses	782,634	
	<hr/>	3,347,205

FIRE DEPARTMENT

Salaries	\$12,527,069	
Expenses	697,571	
	<hr/>	13,224,640

JAIL BOARD

Salaries	\$761,234	
Expenses	391,272	
	<hr/>	1,152,506

MAYORALTY

Salaries	\$92,294	
Expenses:		
Departmental and Contingent Fund	9,500	
	<hr/>	101,794

MISCELLANEOUS GENERAL EXPENDITURES

Metropolitan Transit Authority	\$100,000	
Insurance Premiums on City Facilities	422,000	
Board of Estimates Contingent Fund	500,000	
Self Insurance Fund	50,000	
All Other	77,480	
	<hr/>	1,149,480

MUNICIPAL MUSEUM OF BALTIMORE

Salaries	\$22,658	
Expenses	5,860	
		28,518

OFFICE OF FINANCIAL REVIEW OF THE CITY COUNCIL

Salaries	\$17,088	
Expenses	2,912	
		20,000

OFFICE OF THE PRESIDENT BOARD OF ESTIMATES

Salaries		5,340
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OFF-STREET PARKING COMMISSION

Salaries	\$3,247	
Expenses	200	
		3,447

**PARKING METER MAINTENANCE AND OPERATION
BUREAU OF RECEIPTS**

Salaries	\$25,250	
Expenses	39,160	
		64,410

DEPARTMENT OF TRANSIT AND TRAFFIC

Salaries	\$85,256	
Expenses	30,995	
		116,251

POLICE DEPARTMENT

Salaries	\$19,937,398	
Expenses	1,476,445	
		21,413,843

POST MORTEM EXAMINERS OF MARYLAND

Salaries	\$124,424	
Expenses	63,500	
		187,924

SHERIFF'S OFFICE

Salaries	\$225,400	
Expenses	17,550	
		242,950

ORDINANCES

513

STATE'S ATTORNEY

Salaries	\$216,998	
Expenses	16,140	
		233,138

SUPERVISORS OF ELECTIONS

Salaries	\$233,811	
Expenses	324,860	
		558,671

WAR MEMORIAL COMMISSION

Salaries	\$25,061	
Expenses	15,600	
		40,661

SUMMARY LIST NO. 1

Salaries	\$124,153,768
Labor	14,242,549
Expenses	70,633,241
	\$209,029,558
Total List No. 1	

LIST NO. 2

"ESTIMATES FOR NEW IMPROVEMENTS"

CAPITAL OUTLAY

Department of Aviation:

General Funds—

Purchase of Barrett School Land	0
Federal Aid	350,000
	350,000
Total, Department of Aviation	350,000

Baltimore Urban Renewal and Housing Agency:

Federal Aid and Special Funds

Charles Center	\$10,031,004
Harlem Park II	1,404,000
University of Maryland II	381,000
Camden Industrial Park	2,460,000
Madison Park South	1,000,000
Madison Park North	500,000
Mount Vernon I	581,000
Community Renewal Program ...	150,000
	16,507,004

Total, Baltimore Urban Renewal
and Housing Agency 16,507,004

Baltimore Museum of Art—General Funds:

West Garden Wall and Potting Shed	15,000
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Civic Center—General Funds:

Construction	\$56,340	
New Equipment	140,000	
		196,340

General Improvements:

Mayor and City Council Real Property Account....	100,000
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Bureau of Building Inspection—

General Funds:

City Hall Rehabilitation		
including Dome	0	
202 Guilford Demolition	0	
Municipal Building Exterior		
Rehabilitation	0	
Court House Exterior Rehabilitation	0	
		0
Total, Bureau of Building Inspection		0

Bureau of Highways:

General Funds—

Monument Square and Court House Plaza	0
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Motor Vehicle Revenue

New Construction and Improvements:

East-West and Southwestern

Expressways	\$2,500,000
41st Street Bridge over Jones Falls	700,000
41st Street Hooper Avenue to	
Falls Road	160,000
Annapolis Road-Annapolis Avenue	
to City Line	440,000
Fayette Street-Charles Street	
to Liberty St.	110,000
Forest Park Avenue-Windsor Mill	
Road to City Line	225,000
West Bay Avenue-Church Street	
to Tompkins Street	165,000
Bentalou Street Bridge over	
Western Maryland R.R.	142,000
Smith Avenue Bridge over	
Jones Falls	18,000
Lochlea Road Bridge at Western	
Run	132,400
Cottonworth Avenue Bridge at	
Western Run	90,000

Clifton Avenue-Talbott Road to	
Fairfax Road	100,000
Hamilton Avenue-Frankford	
Avenue to Belair Road	229,535
Rehabilitation of Existing Paving	1,109,288
Builders Agreements	300,000

Sub-total, Highways, Motor Vehicle Revenue 6,421,223

Federal Funds

East-West and Southwestern Expressways 22,000,000

Builders Agreements 300,000

Abutting Property Owners:

Paving Alleys 150,000

Paving Footways 60,000

Total, Bureau of Highways 29,081,223

Bureau of Mechanical-Electrical

Services—Street Lighting:

General Funds \$75,000

Federal Funds 250,000

Motor Vehicle Revenue 328,400

Total 653,400

Bureau of Sanitation—General Funds:

New Crane—No. 3 Incinerator 75,000

Bureau of Sewers—Construction of

Drains in Advance of Paving:

General Funds \$20,000

Motor Vehicle Revenue 198,400

Total 218,400

Bureau of Parks—General Funds:

Stadium Irrigation System \$15,000

Splinter Proofing seats—Stadium 10,000

Replacement Fund—Zoo Animals 10,000

Replace Sidewalks—Mt. Vernon
Square 5,000

Clifton Enclosed Field—
Grade and Replace Curb 5,000

Demolish Piers and Buildings—
Broening Park 7,500

Repack expansion and construction		
joints—Stadium	5,000	
Incinerator—Druid Hill Park	15,000	
Renovation—Clifton Park Mansion ..	75,000	
Tree Purchase—Central Business		
District—Mt. Royal and Fremont		
Urban Renewal	10,000	
		157,500
Mayor and City Council Real Property Account		
(Wyman Park)		46,700
		204,200
Baltimore City Hospitals:		
General Funds—		
Trash Can Washing Facility—		
“A” Building	\$1,500	
Electrical Outlets—“C” Building	1,625	
Building Alterations—“C” Building—		
Pediatrics	41,350	
Laundry—8” Pipeline	12,000	
		56,475
Federal Aid—		
Laboratories—“B” Building	\$200,000	
Hill Burton Grant—“A” Building	750,000	
Multi-Purpose Unit	1,400,000	
		2,350,000
		2,406,475
Enoch Pratt Free Library—Mayor and City		
Council Real Property Account:		
New Improvements		20,000
Fire Department—Mayor and City Council		
Real Property Account:		
McMechen Street Fire House		138,685
Jail Board:		
State Aid for Construction		1,065,000
Department of Education:		
General Funds:		
New Electrical Wiring and Fixtures		
in 3 schools	\$51,500	
New Elevator	45,000	
Surfacing of Grounds at 4 schools	52,000	

ORDINANCES

517

Modernization of Heating System and/or new Oil Burners at 3 schools	85,000	
New Incinerator and Ash Hoists in 3 schools	16,500	
	<hr/>	250,000
Mayor and City Council Real Property Account:		
Acquisition of Sites		64,857
State Construction Grant:		
Baltimore Junior College	2,000,000	
Survey and planning for second Junior College	50,000	
	<hr/>	2,050,000
		<hr/>
Total, Department of Education		2,364,857
		<hr/>
Total, List No. 2, Other Than Loan Funds		53,245,584

NEW IMPROVEMENTS—LOAN FUNDS

Baltimore Urban Renewal and Housing Agency:		
To be taken from Urban Renewal Serial 1960-1984 Loan:		
Mt. Royal-Freemont IV	\$50,000	
Community Renewal Program	50,000	
Mount Vernon I	419,000	
Harlem Park II	(734,000)	
Camden Industrial Park	(960,000)	
Madison Park—North	1,500,000	
Downtown Urban Renewal Area ..	50,000	
	<hr/>	
Total, Baltimore Urban Renewal and Housing Agency		375,000
Department of Aviation:		
Subject to Approval of Voters; November, 1962		
Barrett School Purchase	\$325,000	
Runway Overlay—Asphalt	555,000	
Elm Road Construction	63,000	
Maintenance Building	80,000	
Pier "C" Extension	600,000	
Relocation of Fuel Storage	40,000	
Land Purchase, Runway 15L-33R ..	50,000	
Paving of Auto Parking Lot	80,000	
Install Loading Bridges	210,000	

Taxiway Overlay—Asphalt	10,000
Pier "C" Ramp Fillett Paving	7,000
Extend Runway 15L-33R	660,000
Observation Deck Cover	1,000
New Restaurants	27,000
Pier "C" Finger Construction	20,000
Pier "C" Ramp Paving	50,000
Pier "A" Finger Extension	25,000
Pier "C" Finger Extension	25,000
Fire Crash Equipment	87,000
Operating Equipment	49,500

Total, Department of Aviation	2,964,500
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Department of Education:

Subject to Approval of Voters;
November 1962

Miscellaneous Improvements to

Buildings and Grounds	\$250,000
Poly-Western High School	5,168,756
Eutaw Place Elementary Schools	704,000
Elementary School No. 29	1,452,464
Relief for School No. 85	1,386,163
Northwest High School	4,189,652
Addition to Elementary School No. 32	400,000
George Street Elementary School	538,965
Addition to School No. 10	410,000
Acquisition of Sites and Adaptable Facilities	500,000

Total, Department of Education	15,000,000
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Department of Public Works

Bureau of Sanitation:

Subject to Approval of Voters:
November, 1962

New Incinerator	0
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Bureau of Sewers:

To be taken from 15th Sewer Serial
1965-1989 Loan — \$198,400 and
balance Subject to Approval of
Voters; November, 1962

Salaries	\$410,844
Drainage in Advance of Paving ...	1,000,000
Extension of Storm Water Drains	100,000

Small Sanitary Extensions and Alterations	100,000	
Drainage in Connection with Urban Highway Work	500,000	
Elimination of Sanitary "Bleeder" Connections to Storm Water Drains	25,000	
Relief Drain South of B.&O. R.R.	206,000	
New Culverts—Stony Run	62,000	
Replacement of 48" Drains, Baltimore-Washington Expressway ..	39,000	
Duncanwood Lane East of Edison Highway	58,000	
Falls Road-Belvedere to Northern City Boundary	127,000	
Trunk Sewer	316,000	
Additional Jones Falls Force Main	25,415	
Additional Pumping Capacity at Jones Falls Station	39,100	
Back River Outfall Relief Sewer ..	2,352,000	
Miscellaneous Improvements—Back River Treatment Works	840,492	
	<hr/>	
Total, Bureau of Sewers		6,200,851

Bureau of Transportation:		
Subject to Approval of Voters;		
November 1962		
Central Repair Shop		0

Bureau of Water Supply:		
Subject to Approval of Voters:		
November, 1962		
Salaries	\$391,316	
84" Transmission Main—Herring Run to Holabird Avenue	4,853,583	
Reimbursement for Services (Law Department)	6,230	
Small Water Mains	592,292	
Meter Installations	245,000	
	<hr/>	
Total, Bureau of Water Supply		6,088,421

Department of Recreation and Parks

Bureau of Parks:		
Subject to Approval of Voters:		
November, 1962		
Brooklyn Park Development	\$100,000	

Zoo Development	346,000	
Stadium Improvements	400,000	
Jones Falls Parkway (Subject to Passage of Enabling Act and the Approval of Voters in May, 1963)	2,000,000	
	<hr/>	
Total, Bureau of Parks		2,846,000
Bureau of Recreation:		
Subject to Approval of Voters;		
November, 1962		
Northwood School Recreation Center	\$180,000	
School Recreation Centers (P.S. No. 61)	305,000	
School Recreation Center—Eutaw, McMechen, Laurens and Wilson Streets	180,000	
Maintenance Shop Addition	15,000	
Dewees Playfield—Field House Addition	50,000	
Queensberry Playground—Field House Addition	50,000	
	<hr/>	
Total, Bureau of Recreation		780,000
Enoch Pratt Free Library:		
Subject to Approval of Voters;		
November, 1962		
Broadway Branch	\$55,000	
Reisterstown Road Branch	306,000	
Waverly Branch	63,000	
	<hr/>	
Total, Enoch Pratt Free Library		424,000
Fire Department:		
To be taken from Fire Building and Facilities Serial 1964-1983:		
New Fire House—McCulloh and McMechen Streets	\$330,000	
Modernization of Fire Houses at Various Locations	100,000	
	<hr/>	
Total, Fire Department		430,000
Jail Board:		
Subject to Approval of Voters;		
November, 1962		
Womens Detention Center		300,000

ORDINANCES

521

Off-Street Parking Commission:	
Subject to Approval of Voters; November, 1962	
Off-Street Parking Projects	4,000,000
Post Mortem Examiners of Maryland:	
Subject to Approval of Voters; November, 1962	
Acquisition of Land	\$35,000
Architects' Fees	55,000
	<hr/>
Total, Post Mortem Examiners of Maryland	90,000
New Provident Hospital:	
Subject to Approval of Voters; November, 1962	
Land and Studies for new Hospital	200,000
Office Space Needs:	
Subject to Approval of Voters; November, 1962	
Office Space Need	1,600,000
	<hr/>
Total, List No. 2, Loan Funds	41,298,772
	<hr/>
Total, List No. 2	94,544,356

LIST NO. 3

"ESTIMATES FOR ANNUAL APPROPRIATIONS"

DEBT SERVICE

Interest on Funded Debt	\$9,691,924
Debt Retirement	16,760,000
	<hr/>
Total, Debt Service	\$26,451,924

FIRE DEPARTMENT

Pensions	1,498,934
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MISCELLANEOUS ANNUAL APPROPRIATIONS

Maryland Institute	26,000
Library Co. of Baltimore Bar	20,000

Workmen's Compensation Liability Fund and Ordinance 96 of 1955	260,000
Pension Fund for Aged and Disabled Employees (Chapter 498, Acts of 1916) for Pensioners whose compensation has not exceeded \$1,000 per annum	605
Retirement Fund	11,172,828
Ground Rents on City Property	35,000
Social Security for City Employees	1,489,375
Total, Miscellaneous from Tax Levy	13,003,808

POLICE DEPARTMENT

Pensions	3,919,486
Total, List No. 3	\$44,874,152

SUMMARY

List No. 1	\$209,029,558
List No. 2	94,544,356
List No. 3	44,874,152
	\$348,448,066

Approved by the Board of Estimates November 2, 1962.

J. HAROLD GRADY, Mayor

R. WALTER GRAHAM, JR., Comptroller

BERNARD L. WERNER, Director of Public Works

FRANCIS B. BURCH, City Solicitor

BOARD OF ESTIMATES.

Approved December 13, 1962.

PHILIP H. GOODMAN, Mayor.

No. 1436

(Council No. 2161)

An ordinance granting permission and authority to the Louis A. Gann Corporation, a body corporate, to construct, maintain and use a 1-story enclosed superstructure or bridgeway above and across the first Unnamed Alley west of Light Street about 41 feet south of the south building line of East Ostend Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That permission and authority be and the same are hereby granted to the Louis A. Gann Corporation, a body corporate, its successors and assigns, hereinafter referred to as the Grantee, to construct, maintain and use, at its own cost and expense for a period not exceeding **twenty-five years**, a 1-story enclosed superstructure or bridgeway above and across the first Unnamed Alley west of Light Street to connect the second floor of the premises of the Grantee, known as 1300 Light Street, with the second floor of the premises of said Grantee located on the southwest corner of said Unnamed Alley and East Ostend Street. This authorization is upon the following terms and conditions:

The said superstructure or bridgeway shall extend from and connect the second floor of the two buildings herein described. It shall be not less than 9 feet 6 inches and not more than 10 feet 6 inches above ground level. The superstructure or bridgeway shall be approximately 8 feet 8 inches long, approximately 6 feet 9 inches high, and approximately 6 feet wide. It shall be supported by steel channels anchored into the masonry walls on both ends thereof. The decking shall be concrete-filled steel, and the sides shall be corrugated steel sheets, reinforced with steel angles. The said superstructure or bridgeway also shall be erected and completed under the superintendence and to the satisfaction

of the Bureau or Building Inspection of the City of Baltimore.

The said Grantee, its successors and assigns shall post and keep posted the clearance on both sides of the bridgeway as long as said structure remains in and above said Unnamed Alley.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted, the sum of seventy-eight dollars (\$78) per year payable in advance during the continuance of this franchise or privilege.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserve the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof.

SEC. 4. *And be it further ordained*, That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained*, That the said grantee, its successors and assigns, shall maintain the said superstructure or bridgeway in good condition throughout the full term of this grant so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained*, That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that

nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and determine.

SEC. 8. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeway in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said bridge-way in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore from and against any and all suits, losses, cost, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from:

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and

properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1437

(Council No. 2228)

An ordinance to amend the Charles Center Urban Renewal Plan, which was approved by the Mayor and City Council of Baltimore by Ordinance No. 1863, approved March 25, 1959, and amended by Ordinance No. 914, approved July 3, 1961, and further amended by Ordinance No. 1301, approved June 26, 1962, to increase the maximum total structure height in development area No. 8.

WHEREAS, the Charles Center Urban Renewal Plan was approved by Ordinance No. 1863, approved March 25, 1959, and amended by Ordinance No. 914, approved July 3, 1961, and further amended by Ordinance No. 1301, approved June 26, 1962; and

WHEREAS, no substantial change or changes may be made in the Charles Center Urban Renewal Plan, after approval by Ordinance, unless such change or changes are first approved by the Planning Commission and approved and adopted by an Ordinance of the Mayor and City Council of Baltimore; and

WHEREAS, it is desirable to amend the Charles Center Urban Renewal Plan to increase the maximum total structure height in Development Area No. 8; and

WHEREAS, the amendment herein set forth was approved by the Planning Commission on October

23, 1962 and was approved, adopted and recommended by the Baltimore Urban Renewal and Housing Agency on October 25, 1962; now, therefore,

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the following amendment to the Charles Center Urban Renewal Plan (hereinafter referred to as the "Plan") having been duly reviewed and considered, is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said amendment with the Department of Legislative Reference as a permanent public record and to make the same available for public inspection and information:

On Exhibit "C", in line 15, under column (5), strike out the numerals "165", and insert in lieu thereof the numerals "180".

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1438

(Council No. 2233)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the two parcels of land situate in Baltimore City, one thereof known as 2427 Annapolis Road, and the other being situate on the west side of Ponca Street south of O'Donnell Street, comprising Lot 10, Block 6577, city block plats. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore.* That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the two parcels of land situate in Baltimore City, State of Maryland, and described as follows:

2427 Annapolis Road

Parcel situated on the west side of Ponca Street, 60 feet 5- $\frac{1}{4}$ inches south of O'Donnell Street, fronting southerly on O'Donnell Street 39 feet 6- $\frac{3}{4}$ inches with an irregular width of irregular depth westerly along the north side of a 15-foot alley, 66 feet, more or less.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained,* That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1439

(Council No. 2265)

An ordinance to comply with the provisions of Paragraph 1400 of Article 5 of the Baltimore City Code (1950 edition, as amended), said Article being known generally as the Building Code of Baltimore City, in order to permit the construction and use of a building on the premises known generally as 611-613-615 Park Avenue for the storage of more than three motor vehicles.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the requirements of Paragraph 1400 of Article 5 of the Baltimore City Code (1950 edition as amended), said Article being known generally as the Building Code of Baltimore City, are complied with in order to permit the construction and use of a building on the premises known generally as 611, 613 and 615 Park Avenue, for the storage of more than three motor vehicles. Except as in this ordinance specifically provided, all other ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and use of these premises.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1440

(Council No. 2266)

An ordinance to repeal Section 100 (13) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "One-Way Streets," this section making a one-way street of Granby Street from Albemarle Street to East Falls Avenue; and to ordain a new Section 100 (13) in lieu thereof, to stand in the place of the section so repealed, making a one-way street of Granby Street from Stemmers Alley to East Falls Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 100 (13) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "One-Way Streets," this section making a one-way street of Granby Street from Albemarle Street to East Falls

Avenue, be and it is hereby repealed; and that a new Section 100(13) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

100.

(13) Granby Street, between Stemmers Alley and East Falls Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1441

(Council No. 2267)

An ordinance to repeal Section 125(22) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," said section concerning the standing of vehicles on Granby Street, between Albemarle Street and East Falls Avenue; and to ordain new Sections 125(22) and 125(22a) in lieu thereof, to stand in the place of the section so repealed, regulating the parking of vehicles on certain portions of Granby Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 125(22) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed; and that new Sections 125(22) and 125(22a) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

125.

(22) No vehicle may be parked at any time on the north side of Granby Street, between Albemarle Street and East Falls Avenue.

(22a) No vehicle may be parked between the hours of 8 A.M. and 6 P.M. on any day on the south side of Granby Street, between Albemarle Street and the first alley westerly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1442

(Council No. 2268)

An ordinance to repeal Section 45G (4) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Impounding," said section having been ordained by Ordinance 80, approved Oct. 22, 1959, and providing for the impounding of motor vehicles which are parked illegally on Guilford Ave., between Charles Street and North Avenue; and to ordain a new Section 45G (4) in lieu thereof, to stand in the place of the section so repealed, adding a portion of Guilford Avenue within the provisions of the so-called Impounding Ordinance and thereby providing for the impounding of motor vehicles which are parked illegally on this portion of Guilford Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 45G (4) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Impounding,"

said section having been ordained by Ordinance 80, approved October 22, 1959, be and it is hereby repealed; and that new Section 45G (4) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

45G.

(4) Guilford Avenue, both sides, between North Avenue and Baltimore Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1443

(Council No. 2269)

An ordinance to add a new Section 130 (44b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130 (44a) thereof, prohibiting the parking of vehicles at any time on the east side of Light Street between Baltimore Street and Telephone Alley.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Section 130 (44b) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130 (44a) thereof, and to read as follows:

130.

(44b) No vehicle is permitted to be parked at any time on the east side of Light Street between Baltimore Street and Telephone Alley.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1444

(Council No. 2271)

An ordinance to repeal Section 124 (34) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," repealing the ordinance regulating the parking of vehicles on the east side of Forrest Street, between Hillen Street and Monument Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 124 (34) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1445

(Council No. 2272)

An ordinance to repeal Section 138 (26) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," as said section was last amended by Ordinance 1617, approved October 23, 1958, repealing the

ordinance which regulates the parking of vehicles on the north side of Twenty-first Street between Guilford Avenue and the first driveway westerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 138 (26) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," as said section was last amended by Ordinance 1617, approved October 23, 1958, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1446

(Council No. 2273)

An ordinance to repeal Section 125 (45) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," repealing the ordinance which regulates the parking of vehicles on Guilford Avenue between Twenty-first Street and Twenty-second Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 125 (45) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1447

(Council No. 2274)

An ordinance to add Section 105 (36) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 105 (35) thereof, making Lyndhurst Avenue, between Holly Avenue and Clifton Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 105 (36) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations" subtitle "One-Way Streets," said new section to follow immediately after Section 105 (35) thereof, and to read as follows:

105.

(36) Lyndhurst Avenue, from Holly Avenue to Clifton Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1448

(Council No. 2275)

An ordinance to repeal Section 121 (26) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," and to ordain new Sections 121 (26) and 121 (26a) in lieu thereof, to stand in the place of the

section so repealed, revising the provisions concerning the standing, stopping, and parking of vehicles on Caton Avenue, between Wilkens Avenue and Washington Boulevard.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 121 (26) of Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed; and that new Sections 121 (26) and 121 (26a) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:*

121.

(26) No vehicle may be parked at any time on either side of Caton Avenue, between Wilkens Avenue and Benson Avenue; between the hours of 7:30 A.M. and 10 A.M. and the hours of 4 P.M. and 6 P.M. on any day, no vehicles may be stopped on this portion of Caton Avenue.

(26a) No vehicle may be stopped between the hours of 7:30 A.M. and 10 A.M. and the hours of 4 P.M. and 6 P.M. on any day on either side of Caton Avenue, between Benson Avenue and Washington Boulevard.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1449

(Council No. 2283)

An ordinance to add Section 173 (6) to Article 38 of the Baltimore City Code (1950 Edition), title

"Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle, was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Lombard Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Lombard Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 173 (6) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

173.

(6) Lombard Street, north side, from South Street to Commerce Street.

SEC. 2. And be it further ordained, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1450

(Council No. 2284)

An ordinance to repeal Section 111 (26a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance No. 151, approved December 2, 1955, and making Rutter Street, from McMechen Street to Lanvale Street, a one-way street for vehicular traffic; and to ordain in lieu thereof a new Section

111(26a) to stand in the place of the section so repealed, making Rutter Street, from Mosher Street to Lanvale Street, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 111(26a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance No. 151, approved December 2, 1955, be and it is hereby repealed; and that a new Section 111(26a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:*

111.

(26a) Rutter Street, from Mosher Street to Lanvale Street, is a one-way street for vehicular traffic and may be used by such traffic in a southerly direction only.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1451

(Council No. 2285)

An ordinance to repeal Section 105(25a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said section was ordained by Ordinance 195, approved December 14, 1955; and to ordain a new Section 105(25a) in lieu thereof, to stand in the place of the section so repealed, revising the one-way street provisions applicable to

Lovegrove Alley, between Centre Street and Hamilton Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 105(25a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said section was ordained by Ordinance 195, approved December 14, 1955, be and it is hereby repealed; and that a new Section 105(25a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

105.

(25a). Lovegrove Alley, from Centre Street to Hamilton Street, is a one-way street for vehicular traffic and may be used by such traffic in a southerly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1452

(Council No. 2286)

An ordinance to add Section 181(8a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Thirty-third Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Thirty-third Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 181(8a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

181.

(8a). Thirty-third Street, both sides, from Charles Street to St. Paul Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1453

(Council No. 2287)

An ordinance to add Section 96(52a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96 (52) thereof, making Cliftview Avenue, from Harford Road to Normal Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 96(52a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96 (52) thereof, and to read as follows:

96.

(52a). Cliftview Avenue, from Harford Road to Normal Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1454

(Council No. 2288)

An ordinance to add Section 107(6a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 107(6) thereof, making Normal Avenue, from Cliftview Avenue to Harford Road, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 107(6a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 107(6) thereof, and to read as follows:

107.

(6a). Normal Avenue, from Cliftview Avenue to Harford Road, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1455

(Council No. 2289)

An ordinance to add Section 94(12a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 94(12) thereof, making the Alley opposite Eastmont Avenue, from Ravenwood Avenue to Bonview Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 94(12a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 94(12) thereof, and to read as follows:

94.

(12a) Alley opposite Eastmont Avenue, from Ravenwood Avenue to Bonview Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1456

(Council No. 2290)

An ordinance to repeal Section 138 (26a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1249, approved November 10, 1954, repealing the ordinance which regulates the parking of vehicles on the north side of Twenty-first Street, between Barclay Street and Guilford Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 138 (26a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1249, approved November 10, 1954, be and it is hereby repealed.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1457

(Council No. 2291)

An ordinance to repeal Section 121 (16a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance No. 971 approved November 13, 1961, repealing the Ordinance which regulates the parking of motor vehicles on the westerly side of Carey Street between Winchester Street and Laurens Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 121(16a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance No. 971 approved November 13, 1961, be and it is hereby repealed.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1458

(Council No. 2292)

An ordinance to add Section 165(4a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Charles Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Charles Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 165(4a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

165.

(4a) Charles Street, east side, from Henrietta Street to Hamburg Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1459

(Council No. 2293)

An ordinance to add Section 165(4a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Charles Street, to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Charles Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 165(4a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

165.

(4a) Charles Street, west side, from Henrietta Street to Montgomery Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1460

(Council No. 2294)

An ordinance to add Section 164(1a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Carrollton Avenue to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Carrollton Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 164(1a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," sub-title "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

164.

(1a) Carrollton Avenue, east side, from Baltimore Street to Hollins Street, between the hours of 8 A.M. and 6 P.M.—ANGLE PARKING.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1461

(Council No. 2295)

An ordinance to add Section 169(4) to Article 38 of the Baltimore City Code (1950 Edition), title

"Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Howard Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Howard Street.

SECTION 1. *Be it ordained by the Mayor and City council of Baltimore,* That Section 169(4) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

169.

(4) Howard Street, west side, from Pratt Street to Camden Street, between the hours of 8 A. M. and 6 P. M.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1462

(Council No. 2296)

An ordinance to repeal Section 121(16b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking" as said section was ordained by Ordinance 973, approved June 7, 1957, said section regulating the parking of vehicles on the east side of Carey

Street, between Pratt Street and Ramsey Street; and to ordain in lieu thereof new Sections 121 (16b) and 121(16-b-1) to stand in the place of the section so repealed, regulating the stopping and parking of vehicles on certain portions of Carey Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 121(16b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 973, approved June 7, 1957, be and it is hereby repealed; and that new Sections 121(16b) and 121(16-b-1) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

121.

(16b) It is unlawful to stop a vehicle between the hours of 7 A. M. and 9 A. M. and between the hours of 3 P. M. and 7 P. M. on any day on the east side of Carey Street, between Carroll Street and Herkimer Street; and between the hours of 9 A. M. and 3 P. M. on any day, it is unlawful to park a vehicle on this portion of the east side of Carey Street.

(16-b-1) It is unlawful to park a vehicle at any time on the east side of Carey Street, between Ramsey Street and Pratt Street; and between the hours of 7 A. M. and 9 A. M. and the hours of 3 P. M. and 7 P. M. on any day, it is unlawful to stop a vehicle on this portion of the east side of Carey Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor*.

No. 1463

(Council No. 2297)

An ordinance to add a new Section 136(25a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 136(25) thereof, regulating the parking of vehicles on Richardson Street between Clement Street and a point 140 feet northerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 136(25a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 136(25) thereof, and to read as follows:

136.

(25a) No vehicle is permitted to be parked between the hours of 8:00 A.M. and 6:00 P.M. on any day except Saturday and Sunday on the westerly side of Richardson Street between Clement Street and a point 140 feet northerly therefrom.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1464

(Council No. 2298)

An ordinance to repeal Section 94(23a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way

Streets," said section having been ordained by Ordinance 1190, approved December 20, 1957, and making a one-way street of Amity Street, from McHenry Street to James Street; and to ordain a new Section 94 (23a) in lieu thereof, to stand in the place of the section so repealed, making a one-way street of Amity Street, between McHenry Street and Washington Boulevard.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 94 (23a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 1190, approved December 20, 1957, be and it is hereby repealed; and that a new Section 94 (23a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:*

94.

(23a) Amity Street, from McHenry Street to Washington Boulevard, is a one-way street for vehicular traffic and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved December 18, 1962.

PHILIP H. GOODMAN, *Mayor.*

No. 1465

(Council No. 1617)

An ordinance to authorize the Baltimore and Ohio Railroad Company to maintain and operate a Railroad track across Bush Street, beginning at a point in the south building line of Bush Street

three hundred and fifty eight (358) feet west of the west line of Ridgely Street, and running northeastwardly across Bush Street to a point in the North line of Bush Street 354.5 feet west of the west line of Ridgely Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 936, approved May 21, 1923.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be, and it is hereby authorized to maintain and operate a single railroad track across Bush Street, described as follows:

Beginning for the center line of said railroad track at a point in the south building line of Bush Street 358 feet west of the west line of Ridgely Street, measured along said line of Bush Street, and running thence northeastwardly across Bush Street by a curve to the right with a radius of 287.94 feet, the distance of 70 feet to a point on the north line of Bush Street 354.5 feet west of the west line of Ridgely Street, measured along the north line of Bush Street.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not

exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term

then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in re-

spect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracts, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its offices and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time

to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving,

curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the ad-

justing, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, that ordinance No. 936, approved May 21, 1923, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 936, approved May 21, 1923, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 936.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1466

(Council No. 1618)

An ordinance to authorize the Western Maryland Railway Company to maintain and operate two

railroad tracks across Pennington Avenue, as relocated, the center line of the first of said tracks beginning on the southwest side of Pennington Avenue, as relocated, at the distance of about 89 feet southeasterly from Cabin Branch, and running thence northeasterly across said Pennington Avenue, and the center line of the second of said tracks being parallel to and 13 feet southeast of the center line of the first track; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 1249, approved April 2, 1931.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Western Maryland Railway Company be and it is hereby authorized to maintain and operate two railroad tracks in the bed of Pennington Avenue, as relocated, the center lines of said tracks hereby authorized being described as follows:

Beginning for the center line of the first of said tracks at a point on the southwest side of Pennington Avenue, 70 ft. wide, as condemned and opened under Ordinance No. 823, approved November 4th, 1929, at the distance of 89 ft., more or less, southeasterly from the point formed by the intersection of the southwest side of said Pennington Avenue and the south side of Cabin Branch; the co-ordinates of said point of beginning, based upon the system established by the City of Baltimore Topographical Survey Commission, being east 8,075.24 ft. and south 31,066.16 ft., and running thence north 47° -01' east 75.35 ft. to intersect the northeast side of said Pennington Avenue.

And the center line of the second of said tracks being parallel to and 13 ft. southeast of the center line of the first track as above described.

The course in the above description is referred to the true meridian established by the City of Baltimore Topographical Survey Commission.

For identification purposes only, the location of the track authorized by this Ordinance is as shown

by the lines colored red on the plat attached to and made a part of Ordinance No. 1249, approved April 2, 1931.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitra-

tors shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be ap-

pointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained*, That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either

side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject however, to the increase or decrease of the above charges

by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or

assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims,

demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 1249, approved April 2, 1931, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said

Ordinance No. 1249, approved April 2, 1931, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 1249.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1467

(Council No. 1619)

An ordinance to authorize the Western Maryland Railway Company to maintain and operate single railroad track siding across a portion of Kloman Street, on the north side of the Railway Company's right of way at Westport, Baltimore, Maryland, approximately 46.5 feet in length; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 1059, approved June 16, 1930.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Western Maryland Railway Company be, and it is hereby authorized to maintain and operate a single railroad track across Kloman Street, said track hereby authorized being described as follows:

Beginning at the intersection of the center line of said track with the northerly right-of-way line of the Western Maryland Railway Co. at a point distant 33.0 feet measured at right angles from the center line between main tracks of the Western Maryland Railway Co. and extending eastwardly approximately 46.5 feet to intersect the easterly side of Kloman Street.

For identification purposes only, the location of the track authorized by this Ordinance is as shown

by the line colored red on the plat attached to and made a part of Ordinance No. 1059, approved June 16, 1930.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the re-

valuation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor

of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained*, That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between

the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject how-

ever, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks

herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of

them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*. That Ordinance No. 1059, approved June 16, 1930, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which

have arisen, accrued, or become due under said Ordinance No. 1059, approved June 16, 1930, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 682.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1468

(Council No. 1620)

An ordinance to authorize the Western Maryland Railway Company to maintain and operate a railroad track beginning at the intersection of the center line of said track with the westerly curb line of Exeter Street at a point about 36 feet along said curb from the northeasterly corner of the Western Maryland Railway Company storehouse on Exeter Street, and running thence southeastwardly across Exeter Street at a curve to the left with a radius of 287.9 feet, a distance of 6 feet, more or less; thence southeastwardly by a curve to the right with a radius of 287.9 feet, a distance of 157.5 feet, more or less, to a point 8 feet from the easterly building line of Exeter Street; thence southwardly parallel to and distant 8 feet from the said easterly building line of Exeter Street, a distance of 59.3 feet, more or less, to the end of said track, and to repeal Ordinance No. 682, approved March 23, 1929.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Western Maryland Railway Company be and it is hereby authorized to maintain and operate a railroad track across Exeter Street, the center line of said track being described as follows:

Beginning at the intersection of the center line of said track with the westerly curblineline of Exeter Street at a point 36 feet along said curb from the northeasterly corner of the Western Maryland Railway Company storehouse on Exeter Street, and running thence southeastwardly across Exeter Street by a curve to the left with a radius of 287.9 feet, a distance of 6 feet, more or less; thence southeastwardly by a curve to the right with a radius of 287.9 feet, a distance of 157.5 feet, more or less, to a point 8 feet from the easterly building line of Exeter Street; thence southwardly parallel to and distant 8 feet from the said easterly building line of Exeter Street, a distance of 59.3 feet, more or less, to the end of said track.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the lines colored red on the plat attached to Ordinance No. 682, approved March 23, 1929.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee,

to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole

option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are not permitted to stand, and the sum of Three Dollars (\$3.00) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are permitted to stand, all payable in advance, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated in each category under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; provided, however, that if the grantee, its successors or assigns, do not construct any track under the provisions of this ordinance, the amount of said annual compensation shall be based upon the number of lineal feet of track in each category hereinbefore in this ordinance set forth and said annual charge shall be due and payable until this ordinance is repealed.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained, That upon the termination of the franchise herein granted:* (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, sup-

porting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the Western Maryland Railway Company shall be permitted to stand a car or cars on the track hereby authorized to be constructed, provided, however, that any and every right hereby granted to stand any car or cars on the track hereby authorized to be constructed shall be revocable by the Board of Estimates of Baltimore at any time hereafter when in its judgment the public welfare or convenience may so require.

SEC. 13. *And be it further ordained*, That Ordinance No. 682, approved March 23, 1929, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 682, approved March 23, 1929, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 682.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1469

(Council No. 1621)

An ordinance to authorize the Philadelphia, Baltimore and Washington Railroad Company to maintain and operate a single railroad track beginning near where property line of the north side of Boston Street crosses Montford Avenue and then extending in a northwesterly direction to property of Theo. Von Rinteln & Son; subject to certain items, provisions and conditions; and to repeal Ordinance No. 894, approved December 18, 1929.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Philadelphia, Baltimore and Washington Railroad Company be, and it is hereby authorized to maintain and operate a single railroad track in the bed of Montford Avenue, said track hereby authorized being described as follows:

The point of switch for said siding to be located on Montford Avenue approximately on building line of Boston Street; thence extending in a northwesterly direction to property of Theo. Von Rinteln & Son.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the lines colored red on the plat attached to Ordinance No. 894, approved December 18, 1929.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect im-

mediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by

and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the

Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of

any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets

and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public

works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 894, approved December 18, 1929, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 894, approved December 18, 1929, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 894.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1470

(Council No. 1622)

An ordinance to authorize The Northern Central Railway Company to maintain and operate a single railroad track beginning at a point on Front Street and extending across Front Street and on the west side of Colvin Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 279, approved February 7, 1928.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That* The Northern Central Railway Company be, and it is hereby authorized to maintain and operate a single railroad track in the bed of Front Street and of Colvin Street, said track hereby authorized being described as follows:

Beginning at a point on the north building line of Front Street one hundred and sixty-eight (168) feet east of the east building line of Exeter Street and running thence in a southeasterly direction on a curved line with a radius of one hundred and seventy-five (175) feet for a distance of forty-three (43) feet to a point on the south building line of Front Street, said point being six feet, eleven and one-fourth inches ($6' 11\frac{1}{4}''$) east of the west building line of Colvin Street, thence continuing in a southeasterly direction parallel with and six feet, eleven and one-fourth inches ($6' 11\frac{1}{4}''$) east of west building line of Colvin Street for a distance of two hundred and forty-five (245) feet to the end of siding.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the line colored red on the plat attached to Ordinance No. 279, approved February 7, 1928.

SEC. 2. *And be it further ordained, That* the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reason-

ably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the

said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a

third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained*, That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by

the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are not permitted to stand, and the sum of Three Dollars (\$3.00) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are permitted to stand, all payable in advance, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated in each category under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Section 2 of this ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained,* That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Balti-

more not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sus-

tained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained,* That the said grantee, its successors and assigns shall not stand a car or cars on the track hereby authorized, except that it has permission to stand a car or cars on Colvin Street on payment of the \$3.00 per foot per annum rate above referred to; however, said permission to stand a car or cars upon Colvin Street shall be revocable by the Board of Estimates at any time when in its judgment the public welfare or convenience may so require.

SEC. 13. *And be it further ordained,* That Ordinance No. 279, approved February 7, 1928, be and

the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 279, approved February 7, 1928, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 279.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1471

(Council No. 1623)

An ordinance to authorize the Baltimore and Ohio Railroad Company to maintain and operate a single railroad track across the bed of Warner Street, the west end of said track intersecting the west building line of Warner Street at a point 219 feet south of Ostend Street, and the east end of said track intersecting the east building line of Warner Street at a point 190 feet south of the south line of Ostend Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 908, approved May 18, 1923.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be, and it is hereby authorized to maintain, and operate a single railroad track described as follows: Beginning for the center line of the track hereby authorized at a point on the west building line of Warner Street, south 219 feet from the south building line of Ostend Street, and running thence eastwardly across Warner Street by curve to the left with radius of 383.07 feet, the distance of 58 feet, thence still eastward by a straight

line tangent to said curve, the distance of 12 feet to intersect this east line of Warner Street, at a point 190 feet south of the south building line of Ostend Street.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said

arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor

of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between

the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject how-

ever, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks

herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of

them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained,* That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained,* That Ordinance No. 908, approved May 18, 1923, be and the same is hereby repealed; provided, however, that

no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 908, approved May 18, 1923, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 908.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1472

(Council No. 1624)

An ordinance to authorize The Baltimore and Ohio Railroad Company to maintain and operate a single railroad track across Pennington Avenue; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 665, approved March 9, 1929.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That The Baltimore and Ohio Railroad Company be, and it is hereby authorized to maintain and operate a railroad track across Pennington Avenue, the center line of said track being described as follows:

Beginning for said center line at a point on the east line of Pennington Avenue, which said point is 1611.8 feet southerly from the south line of Benhill Street measured along the said east line of Pennington Avenue, and thence running south 63°-51'-west, the distance of 64.7 feet to a point in the west line of Pennington Avenue which is 1636.0 feet southerly from the said south line of Benhill Street, measured along the west line of Pennington Avenue.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the line colored red on the blueprint attached to Ordinance No. 665, approved March 9, 1929.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said

arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor

of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between

the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject how-

ever, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks

herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of

them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 665, approved March 9, 1929, be and the same is hereby repealed; provided, however, that no

claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 665, approved March 9, 1929, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 665.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1473

(Council No. 1625)

An ordinance to authorize The Northern Central Railway Company to maintain and operate a single railroad track extending from The Northern Central Railway Company's track in the bed of East Monument street between Constitution street and Graves street as now constructed, into the property of Consolidated Gas Electric Light and Power Company of Baltimore on the south side of Monument street, said new track beginning at a point in the center of the said Railway Company's existing main track in the bed of Monument street 43 feet of the east building line of Constitution street and running thence southeasterly from said point of beginning by a curve to the right with a radius of 175 feet the distance of 108 feet to the south building line of Monument street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 770, approved July 8, 1926.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That The Northern Central Railway Company be, and it is hereby authorized to maintain and operate one single railroad track described as follows:

Beginning for the center line of said track at a point in the center of the said Railway Company's existing main track in the bed of Monument Street, which point of beginning is located 43 feet east of the east building line of Constitution Street, measured along the center line of Monument Street, and running thence southeasterly, by a curve to the right with a radius of 175 feet, the distance of 108 feet to the south building line of Monument Street; for identification purposes only the said track hereby authorized is as shown by the red lines on the blue-print attached to and made a part of Ordinance No. 770, approved July 8, 1926.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges pay-

able by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of

this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continu-

ance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this Ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained,* That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the

Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC 13. *And be it further ordained*, That Ordinance No. 770, approved July 8, 1926, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 770, approved July 8, 1926, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 770.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1474

(Council No. 1626)

An ordinance to authorize The Baltimore and Ohio Railroad Company to maintain and operate a single railroad track across Johnson Street north of Winder Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 668, approved March 9, 1929.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That The Baltimore and Ohio Railroad Company be, and it is hereby authorized to operate and maintain a single railroad track across Johnson Street, the center line of said track being described as follows:

Beginning for the same on the east side of Johnson Street at a point 85.00 feet north of the north

side of Winder Street, and running thence in a southwesterly direction with a curve to the right with a radius of 602.62 feet the distance of 73.62 feet more or less to a point on the west side of Johnson Street 52.32 feet north of the north side of Winder Street. For identification purposes only the location of the track hereby authorized is as shown by the line colored red on the blueprint attached to Ordinance No. 668, approved March 9, 1929.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed

by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valua-

tion of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time

to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of

Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this Ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and

City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor

and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained,* That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 668, approved March 9, 1929, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 668, approved March 9, 1929, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 668.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1475

(Council No. 1627)

An ordinance to authorize the Baltimore and Ohio Railroad Company to maintain and operate a single railroad track in the bed of Frankfurst Avenue from a point on the south side of Frankfurst Avenue, one hundred and forty-five (145) feet northeast of the intersection of the said south side of Frankfurst Avenue by the west side of Seventh Avenue if extended southerly, and running thence northeasterly across Frankfurst Avenue to the northwest side thereof; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 1090, approved July 15, 1930.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be, and it is hereby authorized to maintain and operate a single railroad track in the bed of Frankfurst Avenue the center line of said track being described as follows:

Beginning for the same at a point on the south

side of Frankfurst Avenue one hundred and forty-five (145) feet northeast of the intersection of the said south side of Frankfurst Avenue by the west side of Seventh Street if extended southerly, and running thence northeasterly with a twelve degree thirty minute ($12^{\circ}-30'$) curve to the left across Frankfurst Avenue one hundred and eighty (180) feet to a point on the north side of said Frankfurst Avenue. For identification purposes only, the location of this track authorized by this Ordinance is as shown by the line colored red on the plat attached to and made a part of Ordinance No. 1090, approved July 15, 1930.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges pay-

able by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of

this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continu-

ance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained,* That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the

Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 1090, approved July 15, 1930, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 1090, approved July 15, 1930, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of this Ordinance No. 1090.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1476

(Council No. 1628)

An ordinance authorizing the Baltimore & Ohio Railroad Company to maintain and operate, a curved track running from S. Eutaw Street into Barre Street, and a single track in South Eutaw Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 673, approved March 9, 1929.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be and it is hereby authorized to maintain and operate, a curved track running from South Eutaw Street into Barre Street, the center line of said track being described as follows:

Beginning for the same in the center of the track now constructed and maintained under the terms of

Ordinance No. 201, approved April 27, 1899, at a point one hundred and two feet south of the south building line of Barre Street, and running thence for the center line of the track hereby authorized in a northerly direction by a curve to the left with a radius of two hundred feet the distance of one hundred and twenty-five feet; thence by a curve to the left with a radius of one hundred feet the distance of ninety-two feet to connect with the track now constructed and maintained by The Baltimore and Ohio Railroad Company under the terms and provisions of said Ordinance No. 97, approved April 23, 1912; the portion of said track constructed under the terms of said Ordinance No. 97, approved April 23, 1912, which extends westwardly from said point of intersection shall be maintained as now constructed. For identification purposes only, the location of the track authorized by this Ordinance is as shown by the lines colored yellow on the blueprint attached to said Ordinance No. 673, approved March 9, 1929. The said, The Baltimore and Ohio Railroad Company is hereby further authorized to maintain and operate a single railroad track in the bed of South Eutaw Street, the center line of which is described as follows:

Beginning for the same at a point forty-six feet south of the south building line of Barre Street in the center of the relocated curved track hereinabove described, and running thence in a northerly direction the distance of sixty-eight feet to a point which is fifteen feet east of the west building line of Eutaw Street and twenty-one feet north of the south building line of Barre Street, and running thence from said point by a curve to the right with a radius of two hundred feet the distance of fifty-three feet; thence by a straight line northerly parallel to the curb line of Eutaw Street, and nine feet seven inches westerly therefrom the distance of two hundred and fifty-eight feet to a point ninety-one feet north of the north building line of Wayne Street.

For identification purposes only, the location of

the track hereby authorized is as shown by the line colored red on the blueprint attached to Ordinance No. 673, approved March 9, 1929.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the re-

valuation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor

of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained*, That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between

the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are not permitted to stand, and the sum of Three Dollars (\$3.00) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are permitted to stand, all payable in advance, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measure-

ment by him of the actual number of lineal feet of track constructed, maintained or operated in each category under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; provided, however, that if the grantee, its successors or assigns, do not construct any track under the provisions of this ordinance, the amount of said annual compensation shall be based upon the number of lineal feet of track in each category hereinbefore in this ordinance set forth and said annual charge shall be due and payable until this ordinance is repealed.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained,* That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the

Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the

said grantee, its successors and assigns shall continue to have the right to stand cars on the track constructed under Ordinance No. 97, approved April 23, 1912, in Barre Street, as provided by Section 9 of said Ordinance, and that it shall be permitted to stand cars for loading and unloading on that portion of the track to be constructed on the west side of South Eutaw Street between the points where said track is intersected by the extension easterly of the north side of Barre Street, and the south side of Wayne Street, and the north side of Wayne Street and the termination of said track ninety-one feet north thereof, and on the remaining portion of said tracks authorized by this Ordinance the said grantee, its successors and assigns shall not stand a car or cars.

SEC. 13. *And be it further ordained*, That Ordinance No. 673, approved March 9, 1929, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 673, approved March 9, 1929, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 673.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1477

(Council No. 1629)

An ordinance to authorize the Baltimore and Ohio Railroad Company to maintain and operate a single track in the bed of Warner St., at a point

of connection with the track it now maintains in the center of said street, said point of connection being sixty-five feet north of the north line of Worcester Street, and extending southerly on Warner Street to a point south of Worcester Street, with the right to the said Railroad Company to stand cars on the southern portion of said track; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 750, approved June 29, 1929.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That The Baltimore and Ohio Railroad company be, and it is hereby authorized to maintain and operate a railroad track in the bed of Warner Street, the center line of which is described as follows:

Beginning for the same in the center of the track constructed and maintained by the said railroad company, along the center line of Warner Street between Alluvian and Worcester Streets, said point of beginning being Sixty-five (65) feet north of the north line of Worcester Street and running thence southerly in the bed of Warner Street by a curve to the right with a radius of 287.94 feet, the distance of 65 feet 6 inches more or less to the north line of Worcester Street; thence continuing southwardly across Worcester Street in the bed of Warner Street 70 feet to a point in the south line of Worcester Street, 15 feet east of the west line of Warner Street, and running thence southerly with a curve to the left, with a radius of 287.94 feet the distance of 90 feet in the bed of Warner Street to a point 8 feet east of the west line of Warner Street and thence southerly parallel to and 8 feet from the west line of Warner Street, the distance of 111 feet.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein

granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of

the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such

arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly

authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are not permitted to stand, and the sum of Three Dollars (\$3.00) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are permitted to stand, all payable in advance, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated in each category under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Section 2 of this ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to

the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks;

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained, That upon the termination of the franchise herein granted:* (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted

shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom

the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained,* That The Baltimore and Ohio Railroad Company shall not be permitted to stand a car or cars on the track hereby authorized to be constructed except on the southerly 140 feet of said track, and on this portion of said track The Baltimore and Ohio Railroad Company shall be permitted to stand a car or cars for the purpose of serving the owners or occupants of the property on the west side of Warner Street immediately opposite the said track. The right to stand a car or cars on the track hereby authorized shall be revocable by the Board of Estimates at any time when in its judgment the public welfare or convenience may so require.

SEC. 13. *And be it further ordained*, That Ordinance No. 750, approved June 29, 1929, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 750, approved June 29, 1929, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 750.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1478

(Council No. 1630)

An ordinance authorizing the Baltimore and Ohio Railroad Company to maintain and operate a single railroad track across an unnamed alley, which extends southerly from Ramsay Street to the property of the Baltimore & Ohio Railroad Company, through the block bounded on the east by Calhoun Street and on the west by Stricker Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 18, approved October 11, 1923.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be, and it is hereby authorized to maintain and operate a single track across an unnamed alley which extends southerly from Ramsay Street to the property of the Baltimore & Ohio Railroad Company, through the block bounded on the east by Calhoun Street and on the west by Stricker Street. The center line of the said track being described as follows:

Beginning on the east side of said unnamed alley at a point 250 feet south of the south side of Ramsay Street and running thence northwesterly by a curve to the right with a radius of 287.94 feet the distance of 25 feet to the west side of said alley at a point 240 feet more or less south of the south side of Ramsay Street.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the

rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation

hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may here-

after be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this

ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks;

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns,

of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting

from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 18, approved October 11, 1923, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 18, approved October 11, 1923, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 18.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1479

(Council No. 1631)

An ordinance to authorize the Baltimore and Ohio Railroad Company to maintain and operate a track in the bed of Warner Street beginning at a point in the track now existing in the center of Warner Street seventy-five (75) feet north of the north line of Oler Street and running thence by a curve southwesterly into the property on the southwest corner of Warner and Oler Streets; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 1071, approved May 7, 1927.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be and it is hereby authorized to maintain and operate a track in the bed of Warner Street, the center line of said track being described as follows:

Beginning for the center line of the track hereby authorized in the center of the track now existing in

the center of Warner Street at a point seventy-five (75) feet north of the north line of Oler Street, measured along the center line of Warner Street, and running thence southwesterly by a curve to the right with a radius of one hundred and ninety-three (193) feet, the distance of one hundred and forty-five (145) feet into the property on the southwest corner of Warner and Oler Streets.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the line colored red on the blueprint attached to Ordinance No. 1071, approved May 7, 1927, which was made a part of said Ordinance.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges pay-

able by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of

this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continu-

ance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained,* That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the

Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 1071, approved May 7, 1927, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 1071, approved May 7, 1927, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 1071.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1480

(Council No. 1632)

An ordinance to authorize The Northern Central Railway Company to maintain and operate a track in the bed of South Caroline Street beginning at a point in the track of The Northern Central Railway Company as now constructed in the center of South Caroline Street fifty-nine feet south of the south line of Lancaster Street and running thence by a curve southeastwardly into the property on the east side of South Caroline Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 56, approved July 14, 1927.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That The Northern Central Railway Company be, and it is hereby authorized

to maintain and operate a track in the bed of South Caroline Street, the center line of said track being described as follows:

Beginning for the center line of the track hereby authorized, in the center of the track which The Northern Central Railway Company now maintains in the center of South Caroline Street at a point fifty-nine (59) feet south of the south line of Lancaster Street, measured along the center line of South Caroline Street, and running thence southeastwardly by a curve to the left with a radius of seventy-five (75) feet, the distance of eighty-one (81) feet into the property on the east side of South Caroline Street.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the line colored red on the blueprint attached to Ordinance No. 56, approved July 14, 1927.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee,

to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained*, That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole

option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefore, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting

pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of

Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the SAID Highways Engineer, without compensation and at the entire

cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 56, approved July 14, 1927, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 56, approved July 14, 1927, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 56.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1481

(Council No. 1702)

An ordinance to change the name of that portion of Wine Alley beginning at Light Street 77' 8" south of Redwood Street and running thence westerly 112' 6" to Lovegrove Street, formerly Wine or French Alley, the new name of said portion of Wine Alley to be Mercer Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the name of that portion

of Wine Alley beginning at Light Street 77' 8" south of Redwood Street and running thence westerly 112' 6" to Lovegrove Street, formerly Wine or French Alley, be and it is hereby changed, that said portion of Wine Alley shall hereafter be known as Mercer Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1482

(Council No. 2000)

An ordinance to condemn and open, an Alley, 15 feet wide, first Alley east of Edgepark Road, from Perring Parkway, as authorized under Ordinance No. 985, approved November 20, 1961, northerly to a 15 foot Alley, 90 feet northeast of Belvedere Avenue in accordance with a plat thereof numbered 291-A-3A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Thirtieth (30th) day of April, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, an Alley, 15 feet wide, first Alley east of Edgepark Road, from Perring Parkway, as authorized under Ordinance No. 985, approved November 20, 1961, northerly to a 15 foot Alley, 90 feet northeast of Belvedere Avenue, in accordance with a plat thereof numbered 291-A-3A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Thirtieth (30th) day of April, 1962, and now on file

in said office, the land hereby directed to be condemned for said opening being described as follows:

Beginning for the same at the point formed by the intersection of the northwest side of Perring Parkway, as authorized under Ordinance No. 985, approved November 20, 1961, and the west side of a 15 foot Alley, first east of Edgepark Road, said point being distant North $52^{\circ}-00'-30''$ East 30.05 feet from the northwest corner of said Perring Parkway and the northeast side of Belvedere Avenue, 100 feet wide, and running thence North $02^{\circ}-12'-50''$ East, binding on the west side of said 15 foot Alley, 70.14 feet to intersect the southwest side of an Alley, 15 feet wide, laid out parallel with and distant 90 feet northeast of said Belvedere Avenue; thence South $60^{\circ}-13'-00''$ East, binding on the southwest side of said last mentioned 15 foot Alley, produced southeasterly, 16.92 feet to intersect a line drawn parallel with and distant 15 feet, southeasterly, measured at right angles from the first line of this description; thence South $02^{\circ}-12'-50''$ West, reversing said line so drawn and binding thereon, 49.63 feet to intersect the northwest side of said Perring Parkway and thence South $52^{\circ}-00'-30''$ West, binding on the northwest side of said Perring Parkway, 19.64 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System, the said Alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Thirtieth (30th) day of April in the year 1962, and is now on file in the said Office.

SECTION 2. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all

applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1483

(Council No. 2001)

An ordinance to condemn and close an Alley, 15 feet wide, first Alley east of Edgepark Road, from Perring Parkway, as authorized under Ordinance No. 985, approved November 20, 1961, northerly to a 15 foot Alley, 90 feet northeast of Belvedere Avenue in accordance with a plat thereof numbered 291-A-3B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the First (1st) day of May, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close an Alley, 15 feet wide, first Alley east of Edgepark Road, from Perring Parkway, as authorized under Ordinance No. 985, approved November 20, 1961, northerly to a 15 foot Alley, 90 feet northeast of Belvedere Avenue, in accordance with a plat thereof numbered 291-A-3B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the First (1st) day of May, 1962, and now on file in

said office, the land hereby directed to be condemned for said closing being described as follows:

Beginning for the same at the point formed by the intersection of the northwest side of Perring Parkway, as authorized under Ordinance No. 985, approved November 20, 1961, and the west side of a 15 foot Alley, first east of Edgepark Road, said point being distant North $52^{\circ}-00'-30''$ East 30.05 feet from the northwest corner of said Perring Parkway and the northeast side of Belvedere Avenue, 100 feet wide, and running thence North $02^{\circ}-12'-50''$ East, binding on the west side of said 15 foot Alley, 70.14 feet to intersect the southwest side of an Alley, 15 feet wide, laid out parallel with and distant 90 feet northeast of said Belvedere Avenue; thence South $60^{\circ}-13'-00''$ East, binding on the southwest side of said last mentioned 15 foot Alley, produced southeasterly, 16.92 feet to intersect a line drawn parallel with and distant 15 feet, southeasterly, measured at right angles from the first line of this description; thence South $02^{\circ}-12'-50''$ West, reversing said line so drawn and binding thereon, 49.63 feet to intersect the northwest side of said Perring Parkway and thence South $52^{\circ}-00'-30''$ West, binding on the northwest side of said Perring Parkway, 19.64 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System, the said Alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the First (1st) day of May in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of

Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Alley and the proceedings and rights of all parties

interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition), and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1484

(Council No. 2104)

An ordinance to condemn and open, an Alley, 15 feet wide, 70 feet north of Biddle Street, from Rutland Avenue westerly 58.75 feet to a 12 foot Alley, there situate in accordance with a plat thereof numbered 162-A-22, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fifth (5th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, an Alley, 15 feet wide, 70 feet north of Biddle Street, from Rutland Avenue westerly 58.75 feet to a 12 foot Alley, there situate, in accordance with a plat thereof numbered 162-A-22, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fifth (5th) day of September, 1962, and now on file in said office. Said Alley is numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the west side of Rutland Avenue, 70 feet wide, and the south side of an Alley, 15 feet wide, laid out parallel with and distant 70.0 feet northerly from the north side of Biddle Street, 66 feet wide, and running thence westerly, binding on the south side of said Alley, 64.0 feet to intersect the southeast side of a 12 foot Alley, laid out parallel with and distant 70 feet southeasterly, from the southeast side of Gay Street, 50 feet wide; thence northeasterly, binding on the southeast side of said 12 foot Alley, 22.0 feet to intersect the north side of said 15 foot Alley, thence easterly, binding on the north side of said 15 foot Alley 53.5 feet to intersect the west side of said Rutland Avenue and thence southerly, binding on the west side of said Rutland Avenue 15.0 feet to the place of beginning.

The said Alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Fifth (5th) day of September in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition), and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1485

(Council No. 2105)

An ordinance to condemn and close an Alley, 15 feet wide, 70 feet north of Biddle Street, from Rutland Avenue westerly 58.75 feet to a 12 foot Alley, there situate, in accordance with a plat thereof numbered 162-A-22A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Sixth (6th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close an Alley, 15 feet wide, 70 feet north of Biddle Street, from Rutland Avenue westerly 58.75 feet to a 12 foot Alley, there situate, in accordance with a plat thereof numbered 162-A-22A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Sixth (6th) day of September, 1962, and now on file in said office. Said Alley is numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the west side of Rutland Avenue, 70 feet wide, and the south side of an Alley, 15 feet wide, laid out parallel with and distant 70.0 feet northerly from the north side of Biddle Street, 66 feet wide, and running thence westerly, binding on the south side of said Alley, 64.0 feet to intersect the southeast side of a 12 foot Alley, laid out parallel with and distant 70 feet southeasterly, from the southeast side of Gay Street, 50 feet wide; thence northeasterly binding on the southeast side of said 12 foot Alley, 22.0 feet to intersect the north side of said 15 foot Alley, thence easterly, binding on the north side of said 15 foot Alley 53.5 feet to intersect the west side of said Rutland Avenue and thence southerly, binding on the west side of said Rutland Avenue 15.0 feet to the place of beginning, the said Alley as directed to be condemned being delineated

and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Sixth (6th) day of September in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface

structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1486

(Council No. 2106)

An ordinance to condemn and open, (1) Lanvale Street, 66 feet wide, from McCulloh Street to Madison Avenue and (2) Linden Avenue, 66 feet wide, from Dolphin Street, 100 feet wide, northwesterly 89.14 feet in accordance with a plat thereof numbered 290-A-1E, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the fifth (5th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, (1) Lanvale Street, 66 feet wide, from McCulloh Street to Madison Avenue and (2) Linden Avenue, 66 feet wide, from Dolphin Street, 100 feet wide, northwesterly 89.14 feet, in accordance with a plat thereof numbered 290-A-1E, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the fifth (5th) day of September, 1962, and now on file in said office. Said Streets are numbered 1 and 2 on said plat and described as follows:

Beginning for Part (1) at the point formed by the intersection of the northeast side of McCulloh Street 60 feet wide and the northwest side of Lanvale Street, 66 feet wide and running thence binding on the northwest side of said Lanvale Street North $46^{\circ}-24'-00''$ East 236.26 feet to intersect the southwest side of Madison Avenue, 66 feet wide; thence binding on the southwest side of said Madison Avenue South $43^{\circ}-53'-30''$ East 66.0 feet to intersect a line drawn parallel with and distant 66 feet southeasterly, measured at right angles from the first line of this description; thence reversing said line so drawn and binding thereon South $46^{\circ}-24'-00''$ West 236.16 feet to intersect the northeast side of said McCulloh Street and thence binding on the northeast side of said McCulloh Street North $43^{\circ}-58'-40''$ West 66.0 feet to the place of beginning; and beginning for Part (2) at the point formed by the intersection of the northwest side of Dolphin Street, as proposed to be relocated, 100 feet wide and the southwest side of Linden Avenue, 66 feet wide, and running thence binding on the southwest side of said Linden Avenue North $43^{\circ}-33'-00''$ West 76.79 feet to intersect the northwest outline of the Baltimore Urban Renewal and Housing Agency's Renewal Area No. 12; thence binding on said northwest outline, crossing said Linden Avenue, North $45^{\circ}-47'-00''$ East 66.0 feet to intersect a line drawn parallel with and distance 66.0 feet northeasterly, measured at right angles from

the first line of this description; thence reversing said line so drawn and binding thereon South $43^{\circ}-33'-00''$ East 101.49 feet to intersect the northwest side of said Dolphin Street, as proposed 100 feet wide and thence binding on the northwest side of said Dolphin Street the two following courses and distances, namely, South $71^{\circ}-08'-28''$ West 7.64 feet and by a line curving to the left, with a 335.96 foot radius the distance of 62.68 feet, which arc is subtended by a chord bearing South $65^{\circ}-47'-48''$ West 62.59 feet to the place of beginning.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the fifth (5th) day of September in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules and regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1487

(Council No. 2115)

An ordinance to condemn and open, an Alley, varying in width from 10 feet to 20 feet, 80 feet south of Hollins Street, from Payson Street easterly 137.0 feet in accordance with a plat thereof numbered 291-A-9A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fifth (5th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, an Alley, varying in width from 10 feet to 20 feet, 80 feet south of Hollins Street, from Payson Street easterly 137.0 feet, in accordance with a plat thereof numbered 291-A-9A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fifth (5th) day of September, 1962, and now on file in said office. Said Alley is numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the east side of Payson Street, 66 feet wide, and the north side of an Alley, 10 feet wide, laid out parallel with and distant 80.0 feet southerly, measured along the east side of said Payson Street from the south side of Hollins Street, 66 feet wide, and running thence North $86^{\circ}-28'-19''$ East, binding on the north side of said 10 foot Alley and continuing the same course, binding on the north side of a 20 foot Alley, in all, 142.0 feet to the end of the second line of the firstly described parcel of land conveyed by Celia Baylin et al., to the Mayor and City Council of Baltimore by deed dated May 2, 1961, and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 1065, folio 428; thence South $23^{\circ}-38'-00''$ West, crossing said

20 foot Alley diagonally, 22.48 feet to the end of the third line of the secondly described parcel of said deed and to intersect the south side of the aforesaid 20 foot Alley; thence South $86^{\circ}-28'-19''$ West binding on the south side of said 20 foot Alley and reversely on the third line of the second parcel of said deed, 62.0 feet to intersect a line drawn parallel with and distant 70.0 feet easterly from the east side of said Payson Street; thence North $02^{\circ}-46'-13''$ West, binding on said line so drawn and reversely on the second line of the second parcel of said deed, 10.0 feet to intersect the south side of the aforementioned 10 foot Alley; thence South $86^{\circ}-28'-19''$ West, binding on the south side of said 10 foot Alley and reversely on the first line of the second parcel of said deed, 70.0 feet to intersect the east side of said Payson Street and thence North $02^{\circ}-46'-13''$ West, binding on the east side of said Payson Street, 10.0 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Fifth (5th) day of September in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition), and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have

been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1488

(Council No. 2116)

An ordinance to condemn and close an Alley, varying in width from 10 feet to 20 feet, 80 feet south of Hollins Street, from Payson Street easterly 137.0 feet, in accordance with a plat thereof numbered 291-A-9B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Sixth (6th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close an Alley, varying in width from 10 feet to 20 feet, 80 feet south of Hollins Street, from Payson Street easterly 137.0 feet, in accordance with a plat thereof numbered 291-A-9B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Sixth (6th) day of September, 1962, and now on file in said office. Said Alley is numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the east side of Payson Street, 66 feet wide, and the north side of an Alley, 10 feet wide, laid out parallel with and distant 80.0 feet southerly, measured along the east side of said Payson Street, from the south side of Hollins Street, 66 feet wide and running thence North 86°-28'-19" East, binding on the north side of said 10 foot Alley and continuing the same course, binding on the

north side of a 20 foot Alley, in all, 142.0 feet to the end of the second line of the firstly described parcel of land conveyed by Celia Baylin et al., to the Mayor and City Council of Baltimore by deed dated May 2, 1961, and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 1065, folio 428; thence South $23^{\circ}-38'-00''$ West, crossing said 20 foot Alley diagonally, 22.48 feet to the end of the third line of the secondly described parcel of said deed and to intersect the south side of the aforesaid 20 foot Alley; thence South $86^{\circ}-28'-19''$ West, binding on the south side of said 20 foot Alley and reversely on the third line of the second parcel of said deed, 62.0 feet to intersect a line drawn parallel with and distant 70.0 feet easterly from the east side of said Payson Street; thence North $02^{\circ}-46'-13''$ West, binding on said line so drawn and reversely on the second line of the second parcel of said deed, 10.0 feet to intersect the south side of the aforementioned 10 foot Alley; thence South $86^{\circ}-28'-19''$ West, binding on the south side of said 10 foot Alley and reversely on the first line of the second parcel of said deed, 70.0 feet to intersect the east side of said Payson Street and thence North $02^{\circ}-46'-13''$ West, binding on the east side of said Payson Street, 10.0 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Sixth (6th) day of September in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway or highways shall have been closed under the provisions of this Ordinance, all sub-surface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use

thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained*, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Highways Engineer of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. *And be it further ordained*, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, mainte-

nance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition), and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1489

(Council No. 2139)

An ordinance to repeal Ordinance No. 383, approved October 20, 1948, entitled "An ordinance granting permission and authority to Swift & Company, a corporation, to erect, construct, maintain and operate a two-story enclosed superstructure or bridgeway above and across Swift Alley, the center line of said bridgeway to be located approximately 72.5 feet west of the west building line of south Eutaw Street."

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance No. 383, approved October 20, 1948, entitled "An ordinance

granting permission and authority to Swift & Company, a corporation, to erect, construct, maintain and operate a two-story enclosed superstructure or bridgeway above and across Swift Alley, the center line of said bridgeway to be located approximately 72.5 feet west of the west building line of South Eutaw Street," be and it is hereby repealed; provided, however, that no claim, charges, and/or liabilities which have arisen, accrued or become due under or by virtue of said ordinance at any time or times prior to the purchase and acquisition by the Mayor and City Council of Baltimore, on March 6, 1962, of the property benefited by the passage of said ordinance, shall be in any way affected by the repeal of said ordinance.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1490

(Council No. 2144)

An ordinance authorizing the Mayor and City Council of Baltimore to grant unto Baltimore County a right-of-way, a portion of which is 10 feet wide and a portion irregular, extending easterly from the northeast side of Oakleigh Road and the northwest side of Joppa Road and binding on the northwest side of Joppa Road 84.19 feet, more or less, together with a temporary construction strip, 25 feet wide, contiguous thereto, for the construction and maintenance therein of a storm drain and appurtenances. The exclusive use of said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City

Council of Baltimore be and it is hereby authorized to grant unto Baltimore County a right-of-way, a portion of which is 10 feet wide and a portion irregular, together with a temporary construction strip 25 feet wide, contiguous thereto, for the construction and maintenance therein of a storm drain, being Parcels No. 1 and No. 2 described as follows:

PARCEL No. 1: BEGINNING for the same at the point formed by the intersection of the Northeast side of Oakleigh Road (formerly called Cowpens Avenue), as now laid out 30 feet wide, and the northwest side of Joppa Road, as now laid out 40 feet wide, the coordinates of said point of beginning based upon the system established by the Metropolitan District of Baltimore County being East 17238.45 feet and North 37054.50 feet; thence binding on the northeast side of said Oakleigh Road, North 19 degrees 55 minutes 45 seconds West 5.35 feet; thence running North 70 degrees 59 minutes 30 seconds East 119.50 feet to intersect the last or North 20 degrees 11 minutes 00 seconds West 84.19 foot line of the parcel of land conveyed by Trustees of The Arnolia Methodist Episcopal Church of Baynesville, Baltimore County, Maryland to the Mayor and City Council of Baltimore, by Deed, dated August 5, 1952, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2168, folio 357; thence binding on said last line so drawn, reversely and as now surveyed, South 19 degrees 55 minutes 45 seconds East 10.0 feet to the northwest side of said Joppa Road, as now laid out 40 feet wide; thence binding on the northwest side of said Joppa Road the two (2) following courses and distances, namely, South 69 degrees 59 minutes 15 seconds West 57.50 feet and South 76 degrees 29 minutes 15 seconds West 62.25 feet to the place of beginning.

PARCEL No. 2: BEGINNING for the same at a point on the northeast side of Oakleigh Road (formerly called Cowpens Avenue) as now laid out 30 feet wide, at a distance of 5.35 feet northwesterly

measured from the intersection formed by the northwest side of Joppa Road, as now laid out 40 feet wide, and the northeast side of said Oakleigh Road, 30 feet wide; thence binding on the northeast side of said Oakleigh Road, North 19 degrees 55 minutes 45 seconds West 25.0 feet; thence running North 70 degrees 59 minutes 30 seconds East 119.50 feet to intersect the last or North 20 degrees 11 minutes 00 seconds West 84.19 foot line of the parcel of land conveyed by Trustees of The Arnolia Methodist Episcopal Church of Baynesville, Baltimore County, Maryland to the Mayor and City Council of Baltimore, by deed, dated August 5, 1952, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2168, folio 357; thence binding on said last line so drawn, reversely and as now surveyed, South 19 degrees 55 minutes 45 seconds East 25.0 feet to a point in said last line and distant 10 feet northwesterly measured from the northwest side of said Joppa Road, 40 feet wide; and running thence South 70 degrees 59 minutes 30 seconds West 119.50 feet to the place of beginning.

The exclusive use of said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1491

(Council No. 2261)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City

Council of Baltimore of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of (1) Pen Lucy Road, 50 feet wide, from Beechfield Avenue to the center line of Atholgate Lane and (2) An Easement, for underground utilities, varying in width from 0.0 feet to 15.0 feet, extending southwesterly from Uplands Parkway and northwesterly from Pen Lucy Road; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said (1) Pen Lucy Road and (2) the aforementioned Easement; and authorizing the making of all necessary agreements concerning said (1) Pen Lucy Road and (2) the aforementioned Easement; and authorizing the construction of said (1) Pen Lucy Road and (2) the aforementioned Easement; the location and course of said (1) Pen Lucy Road and (2) the aforementioned Easement being shown on a plat thereof numbered 288-A-10D, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Twenty-third (23rd) day of August, 1962.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or condemnation for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of (1) Pen Lucy Road, 50 feet wide, from Beechfield Avenue to the center line of Atholgate Lane and (2) An Easement for underground utilities, varying in width from 0.0 feet to 15.0 feet, extending southwesterly from Uplands Parkway and northwesterly from Pen Lucy Road; the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate

in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for Pen Lucy Road as proposed to be opened hereunder at the point formed by the intersection of the southwest side of Beechfield Avenue, as now laid out, and the southeast side of Pen Lucy Road, 50 feet wide, the coordinates of said point, based upon the coordinate system as adopted by the Baltimore Survey Control System, being West 22154.77 feet and South 4325.84 feet and running thence, binding on the southeast and east sides of said Pen Lucy Road, the three following courses and distances, namely, South $57^{\circ}-53'-45''$ West 324.46 feet, by a line curving to the left, with a 767.57 foot radius, the distance of 285.23 feet, which arc is subtended by a chord bearing South $47^{\circ}-15'-01''$ West 283.59 feet and by a line curving to the left, with a 175.85 foot radius the distance of 4.81 feet, which arc is subtended by a chord bearing South $36^{\circ}-30'-10''$ West 3.51 feet to intersect the center line of Atholgate Lane, 16 feet wide, produced southeasterly; thence North $48^{\circ}-55'-00''$ West, reversing said line so produced and binding thereon, 50.16 feet to intersect a line drawn parallel with and distant 50.0 feet northwesterly, measured radially from the second line of this description; thence reversing said line so drawn and binding thereon and on a line drawn parallel with and distant 50 feet northwesterly, measured at right angles from the first line of this description, respectively, the two following courses and distances, namely, by a line curving to the right, with a 817.57 foot radius, the distance of 301.96 feet, which arc is subtended by a chord bearing North $47^{\circ}-18'-54.5''$ East 300.25 feet and North $57^{\circ}-53'-45''$ East 324.61 feet to intersect the fourth line of the first described parcel of land conveyed by Melvin K. Wagner and wife to Stanley E. Eliason and wife by deed dated October 18, 1951, and recorded among the aforesaid Land Records in Liber M.L.P. No. 8606, folio 521; thence South $34^{\circ}-32'-30''$ East, binding on part of the fourth line of said deed, 25.11 feet; thence South $34^{\circ}-57'-54''$ East 9.25 feet to intersect

the southwest side of said Beechfield Avenue and thence binding on the southwest side of said Beechfield Avenue by a line curving to the right, with a 193.15 foot radius, the distance of 15.77 feet, which arc is subtended by a chord bearing South 25°-58'-44.5" East 15.77 feet to the place of beginning.

Beginning for the easement to be acquired hereunder at the point formed by the intersection of the southwest side of Uplands Parkway and the Northwest side of Pen Lucy Road, as proposed to be opened hereunder, 50 feet wide, and running thence South 57°-53'-45" West, binding on the northwest side of said Pen Lucy Road, 37.04 feet to intersect the southwest side of said Easement; thence binding on the southwest, northwest and northeast sides of said easement the three following courses and distances, namely North 65°-51'-15" West 25.0 feet, North 24°-08'-45" East 15.00 feet and South 65°-51'-15" East 35.02 feet to intersect the northwest side of said Pen Lucy Road; thence continuing to bind on the northwest side of said Easement North 27°-12'-26" East 21.54 feet to intersect the southwest side of said Uplands Parkway and thence binding on the southwest side of said Uplands Parkway South 34°-32'-30" East 11.0 feet to the place of beginning.

Containing 554.0 square feet, more or less.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said (1) Pen Lucy Road and (2) the aforementioned Easement, the location and course of said (1) Pen Lucy Road and (2) the aforementioned Easement being shown on a plat thereof numbered 288-A-10D, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Twenty-third (23rd) day of August, 1962.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained,* That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said (1) Pen Lucy Road and (2) the aforementioned Easement. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other interests, rights, easements and/or franchises as the said Director may deem necessary or sufficient for the purpose of said (1) Pen Lucy Road and (2) the aforementioned Easement Project.

SEC. 3. *And be it further ordained,* That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby

shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained,* That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said (1) Pen Lucy Road and (2) the aforementioned Easement Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained,* That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said (1) Pen Lucy Road and (2) the aforementioned Easement Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1492

(Council No. 2307)

An ordinance repealing Ordinance No. 1338, approved July 25, 1962, entitled "An ordinance authorizing the City Comptroller to sell at public sale, in accordance with Section 169 of the City Charter all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground in the rear of 2905 W. Strathmore Avenue, comprising Lot 18, Block 4359, City Tax Plats"; and authorizing the City Comptroller to sell at either public or private sale under said section of the City Charter all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground in the rear of 2901 W. Strathmore Avenue, comprising Lot 18-A, Block 4359, City Tax Plats, and authorizing the City Comptroller to sell at public sale under said section of the City Charter all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground in the rear of 2905 W. Strathmore Avenue, comprising Lot 18, Block 4359, City Tax Plats; said properties being no longer needed for public use.

WHEREAS, Said Ordinance No. 1338, approved July 25, 1962, authorizing the City Comptroller to sell at public sale a certain lot of ground at the time of the passage of said Ordinance was known as Lot 18 in Block 4359, City Tax Plats; and

WHEREAS, Since the passage of said Ordinance, said Block Plat 4359 of the City Tax Plats has been revised so that said Lot 18 has been divided into two lots now known as Lot 18 in the rear of 2905 W. Strathmore Avenue and Lot 18-A in the rear of 2901 W. Strathmore Avenue; and

WHEREAS, It is deemed in the public's best interest that said Lot 18 as now shown on said plats be sold at public sale and that Lot 18-A as shown on said plats be sold at either public or private sale, in

accordance with Section 169 of the City Charter; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Ordinance No. 1338, approved July 25, 1962, entitled "An ordinance authorizing the City Comptroller to sell at public sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground in the rear of 2905 W. Strathmore Avenue, comprising Lot 18, Block 4359, City Tax Plats," be and it is hereby repealed.*

SEC. 2. *Be it further ordained, That the City Comptroller be and he is hereby authorized to sell at public sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground in the rear of 2905 W. Strathmore Avenue, now comprising Lot 18, Block 4359, City Tax Plats. Said property being no longer needed for public use.*

SEC. 3. *Be it further ordained, That the City Comptroller be and he is hereby authorized to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground in the rear of 2901 W. Strathmore Avenue, now comprising Lot 18-A, Block 4359, City Tax Plats, containing 160.70 square feet of land, more or less. Said property being no longer needed for public use.*

SEC. 4. *And be it further ordained, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.*

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1493

(Council No. 2318)

An ordinance granting permission and authority to the Baltimore Gas and Electric Company, a corporation, to construct, maintain and operate a reinforced concrete access vault in the footway area of Liberty Street, about 36 feet southwest of the southwest building line of West Lexington Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission and authority be and the same are hereby granted to the Baltimore Gas and Electric Company, a corporation, its successors and assigns, hereinafter referred to as the Grantee, to construct, maintain and operate, at its own cost and expense, for a period not exceeding 25 years, a reinforced concrete access vault and its appurtenances, for the purpose of providing access to the Grantee's office buildings, said reinforced concrete access vault to be about 16 feet 10½ inches long and about 10 feet 6 inches wide, with the top of said vault, when closed, to be flush with the sidewalk; the center line of said reinforced concrete access vault shall be located as follows:

Beginning for the same at a point located in the southeast sidewalk of Liberty Street about 44 feet 8 inches southwest of the south west building line of West Lexington Street and about 2 feet 6 inches southeast of the southeast curb line of said Liberty Street, running thence southeasterly in said southeast sidewalk of said street for a distance of 10 feet 6 inches to the southeast building line of said Liberty Street.

Said reinforced concrete access vault to provide access to the office buildings of said Grantee located on the southeast corner of the intersection of West Lexington Street and Liberty Street.

SEC. 2. *And be it further ordained*, That the said reinforced concrete access vault shall be constructed

in accordance with the Building Code of Baltimore City; and shall be constructed and completed under the supervision and to the satisfaction of the Highways Engineer of Baltimore City or his duly authorized representative and shall be at all times hereafter subject to the regulation of, and control by, the Highways Engineer.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power at all times to exercise in the interest of the public full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof.

SEC. 4. *And be it further ordained*, That said franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained*, That the said Grantee, its successors and assigns, shall maintain the said reinforced concrete access vault and its appurtenances in good condition as long as it or they remain in said street.

SEC. 6. *And be it further ordained*, That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise privileges hereby granted, the sum of three hundred thirty-two dollars and thirteen cents (\$332. 13) per annum, all charges to be payable in advance during the continuance of said franchise or privilege herein granted.

SEC. 7. *And be it further ordained*, That noncompliance, at any time or times, with any of the terms or conditions of the grant hereby made, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and

City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. *And be it further ordained,* That the Mayor of Baltimore shall have the right, at any time or times, whenever in his judgment the public interests demand, to revoke any or all of the rights and privileges hereby granted, and upon the receipt of a notice in writing to that effect from the Mayor of Baltimore by the Grantee hereunder, its successors or assigns, all such rights shall cease and determine.

SEC. 9. *And be it further ordained,* That in the event of any revocation, forfeiture and/or termination of the rights and privileges by this ordinance granted said Grantee, its successors and assigns, shall, at its or their expense, promptly remove said reinforced concrete access vault and its appurtenances and shall, also, at its or their expense, promptly restore and repave said street in a manner satisfactory to the Highways Engineer of Baltimore City, or his duly authorized representative.

SEC. 10. *And be it further ordained,* That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages or expenses to which said Mayor and City Council may, from time to time, be subjected, on account of, by reason of, or in anywise resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, reconstruction, repair, location, relocation or removal of said structure and its appurtenances, or any of them; and/or

(b) Any failure on the part of said Grantee, its successors and assigns, to promptly and properly perform any or all of their duties or obligations under the terms and provisions of this ordinance.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 4, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1494

(Council No. 2138)

An ordinance to repeal Sections 53, 54 and 55 of Article 19 of the Baltimore City Code (1950 Edition), title "Licenses", sub-title "Pinball Machines, etc.", as said sections, respectively, were last amended by Ordinance 1157, approved December 18, 1957, Ordinance 90, approved November 20, 1951, and Ordinance 665, approved December 20, 1956, and to ordain a new Section 53 in lieu thereof, to stand in the place of the sections so repealed, revising the provisions concerning the licensing of certain amusement devices for public entertainment or amusement, prescribing license fees therefor defining the devices to which this ordinance applies, providing for the application of these licensing provisions, making further provisions for the enforcement thereof, and relating generally to the licensing and regulation of certain amusement devices for public entertainment or amusement in the City of Baltimore.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 53, 54 and 55 of Article 19 of the Baltimore City Code (1950 Edition), title "Licenses", sub-title "Pinball Machines, etc." as said sections, respectively, were last amended by Ordinance 1157, approved December 18, 1957, Ordinance 90, approved November 20, 1951, and Ordinance 665, approved December 20, 1956, be and they are hereby repealed; and that a new Section 53

be and it is hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

53.

(a) Every person, firm, association or corporation owning, or operating, or placing, or keeping, or permitting to be kept, or maintaining for use, or permitting the use of, any of the hereinafter described amusement devices for public entertainment or amusement, in any place or on any premises in the City of Baltimore shall obtain an annual license from the City Treasurer and shall pay therefor the annual license fee hereinafter set forth, before any such amusement device is placed in use or operation for any of the purposes hereinbefore mentioned:

(i) Ninety Dollars (\$90.00) for each and every coin-operated amusement device, except such devices covered by sub-paragraph (ii) hereof. For the purposes of this sub-paragraph (i), the term "coin-operated amusement device" includes, but is not limited to, the following devices, if the same are operated or activated by coins or tokens: claw machines, bowling machines, shuffle board machines, pinball machines, pool tables, console machines, target machines, baseball machines, and other similar devices; provided, however, that such term does not include bona fide vending machines in which amusement features are not incorporated or made a part thereof;

(ii) Twenty-five Dollars (\$25.00) for each and every music box, mechanical player piano, graphophone or other similar mechanical musical device played by the insertion of a coin or token, and Two Dollars (\$2.00) for each additional independent coin-operated speaker delivering music on the same premises; and

(iii) Thirty-five Dollars (\$35.00) for each and every shuffle board which is not coin-operated.

(iv) In the case of any amusement device specified hereinabove in this subsection, which is first being placed in use or operation and which is being licensed for the first time under this subtitle, a license may be secured for less than a period of one full year. In such case the license fee for three-quarters of the year shall be 75% of that indicated for a full year; the fee for one-half of the year shall be 50% of that indicated for the full year; and the fee for one-quarter of the year shall be 25% of that indicated for the full year. For any such amusement device a license shall be obtained and a fee shall be paid for the number of full and partial quarters remaining in that calendar year.

(b) Provided, that for any premises operated within the City of Baltimore licensed as an amusement arcade, having fifteen (15) or more claw machines, bowling machines, shuffle board machines, pinball machines, pool tables, console machines, target machines, baseball machines, and other similar devices operated or activated by coin or token, the total sum due and payable for a license under this subtitle to operate all of said devices shall be Twelve Hundred Dollars (\$1,200.00) per annum.

(c) If any one device mentioned in paragraph (a) hereof is substituted by the same licensee, for any reason, by another device which is subject to the same license fee as provided herein, then such replacement device shall not be subject to an additional license fee.

(d) Each device licensed as required by this Section shall have affixed to it at all times a metal tag or other indicia, as prescribed and issued by the City Treasurer, showing that the license fee for such device has been paid, and such metal tag or other indicia shall be securely attached, by the legal entity who is required to secure a license for such device as prescribed by Paragraph (a) hereof,

to the device for which it was issued. Provided, that the provisions of this paragraph (d) shall not apply to any duly licensed amusement arcade as set forth in paragraph (b) hereof, and in lieu thereof, the City Treasurer shall issue a certificate for any such amusement arcade, and said certificate shall be publicly displayed at all times in a prominent place within such arcade.

(e) Except as herein provided otherwise, any and all license fees provided for in paragraph (a) hereof shall be due and payable in full on the first day of January of each and every year. No refunds, in whole or in part, of any of the license fees provided for in this Section shall be made for any reason or under any circumstances.

(f) The licenses provided for in this Section may be transferred from one licensee to another upon written application to the City Treasurer and his approval thereof.

(g) In order to properly carry out and enforce the provisions of this Section and to collect the license fees levied and imposed under this Section, the City Treasurer is hereby authorized and empowered to make, adopt, promulgate and amend, from time to time, such rules and regulations as he may deem necessary or proper to carry out and enforce the provisions of this Section and to fully collect the license fees imposed under this Section, and to define or construe any of the terms and provisions used in this Section.

(h) Any person or other legal entity who shall participate or aid in any manner in the evasion of the payment of the license fees imposed under this Section, or who shall violate any of the terms or provisions of this Section or any of the rules or regulations made, adopted or promulgated by the City Treasurer under the provisions of this Section, shall be deemed guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdic-

tion shall be subject to a fine of Five Hundred Dollars (\$500.00) or imprisonment not exceeding twelve (12) months, or to both fine and imprisonment, in the discretion of the Court.

SEC. 2. *And be it further ordained, That this ordinance shall take effect January 1, 1963.*

Approved January 7, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1495

(Council No. 2165)

An ordinance to amend Sheet No. 26 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the First Commercial Use District to the Residential Use District, the property within the boundaries of The Alameda, Crestlyn Road, Ednor Road, and Andover Road, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Sheet No. 26 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the First Commercial Use District to the Residential Use District the property within the boundaries of The Alameda, Crestlyn Road, Ednor Road, and Andover Road, as outlined in red on the four plats accompanying this ordinance.*

SEC. 2. *And be it further ordained, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordi-*

nance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 7, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1496

(Council No. 2348)

An ordinance to lay and collect a tax for the use of the Mayor and City Council of Baltimore for the year 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That for the year 1963 a tax of Three Dollars and Ninety-Five Cents (\$3.95) be and the same is hereby levied and imposed on every One Hundred Dollars (\$100) of assessed or assessable value of property in the City of Baltimore (excepting such property as may by provision of law be exempt from this rate), for the use of the Mayor and City Council of Baltimore, and said tax shall be collected and paid in the manner prescribed by law.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 7, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1497

(Council No. 2107)

An ordinance to condemn and close (1) Lanvale Street, 66 feet wide, from McCulloh Street to Madison Avenue and (2) Linden Avenue, 66 feet wide, from Dolphin Street, 100 feet wide, northwesterly 89.14 feet in accordance with a plat thereof numbered 290-A-1F, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Sixth (6th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close (1) Lanvale Street, 66 feet wide, from McCulloh Street to Madison Avenue and (2) Linden Avenue, 66 feet wide, from Dolphin Street, 100 feet wide, northwesterly 89.14 feet, in accordance with a plat thereof numbered 290-A-1F, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Sixth (6th) day of September, 1962, and now on file in said office. Said Streets are numbered 1 and 2 on said plat and described as follows:

Beginning for Part (1) at the point formed by the intersection of the northeast side of McCulloh Street 60 feet wide and the northwest side of Lanvale Street, 66 feet wide and running thence binding on the northwest side of said Lanvale Street North $46^{\circ}-24'-00''$ East 236.26 feet to intersect the southwest side of Madison Avenue, 66 feet wide; thence binding on the southwest side of said Madison Avenue South $43^{\circ}-53'-30''$ East 66.0 feet to intersect a line drawn parallel with and distant 66 feet southeasterly, measured at right angles from the first line of this description; thence reversing said line so drawn and binding thereon South $46^{\circ}-24'-00''$ West 236.16 feet to intersect the northeast side of said McCulloh Street and thence binding on the

northeast side of said McCulloh Street North $43^{\circ}-58'-40''$ West 66.0 feet to the place of beginning; and beginning for Part (2) at the point formed by the intersection of the northwest side of Dolphin Street, as proposed to be relocated, 100 feet wide and the southwest side of Linden Avenue, 66 feet wide, and running thence binding on the southwest side of said Linden Avenue North $43^{\circ}-33'-00''$ West 76.79 feet to intersect the northwest outline of the Baltimore Urban Renewal and Housing Agency's Renewal Area No. 12; thence binding on said northwest outline, crossing said Linden Avenue, North $45^{\circ}-47'-00''$ East 66.0 feet to intersect a line drawn parallel with and distant 66.0 feet northeasterly, measured at right angles from the first line of this description; thence reversing said line so drawn and binding thereon South $43^{\circ}-33'-00''$ East 101.49 feet to intersect the northwest side of said Dolphin Street, as proposed 100 feet wide and thence binding on the northwest side of said Dolphin Street the two following courses and distances, namely, South $71^{\circ}-08'-28''$ West 7.64 feet and by a line curving to the left, with a 335.96 foot radius, the distance of 62.68 feet, which arc is subtended by a chord bearing South $65^{\circ}-47'-48''$ West 62.59 feet to the place of beginning.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Sixth (6th) day of September in the year 1962, and is now on file in the Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall

be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by,

and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules and regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved January 10, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1498

(Council No. 2046)

An ordinance to amend Sheet No. 45 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, and as otherwise amended, by changing from "Residential Use District" to "First Commercial Use District" the areas generally bounded by the Center line of Howard Street, the center line of proposed Dolphin Street, the center line of the former bed of Hoffman Street, now closed, the center line of the former bed of Park Avenue, now closed, and the center line of proposed Park Avenue; and the center line of Park Avenue, the center line of the former bed of Dolphin Street, now closed, the center line of the former bed of a five-foot alley, now closed, located 80 feet southwest of Park Avenue, the center line of the former bed of an eight-foot Alley, now closed, located 100 feet northwest of the former bed of Dolphin Street, now closed, the center line of Jenkins Alley, and the center line of a proposed 20-foot alley located 153 feet southeast of Lan-

vale Street, all as outlined in red on the four Use District plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 45 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, and as otherwise amended, be and it is otherwise amended, by changing from "Residential Use District" to "First Commercial Use District" the areas generally bounded by the center line of Howard Street, the center line of proposed Dolphin Street, the center line of the former bed of Hoffman Street, now closed, the center line of the former bed of Park Avenue, now closed, and the center line of proposed Park Avenue; and the center line of Park Avenue, the center line of the former bed of Dolphin Street, now closed, the center line of the former bed of a five-foot alley, now closed, located 80 feet southwest of Park Avenue, the center line of the former bed of an eight-foot alley, now closed, located 100 feet northwest of the former bed of Dolphin Street, now closed, the center line of Jenkins Alley, and the center line of a proposed 20-foot alley located 153 feet southeast of Lanvale Street, all as outlined in red on the four Use District Plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council and, upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Com-

mission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1499

(Council No. 2264)

An ordinance to amend Sheet Nos. 4 and 14 of the Use District and the Height and Area District Maps of Article 40 of the Baltimore City Code (1950 edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the E-11½ Height and Area District to the D-Restricted—40 Height and Area District, the property on the west side of Falls Road from a point south of Belvedere Avenue southerly as outlined in red; and by changing from the D-Restricted-40 Height and Area District to the E-11½ Height and Area District, the property west of Falls Road and south of Belvedere Avenue as outlined in green; and by changing from the Residential Use District to the First Commercial Use District, the property west of Falls Road and south of Belvedere Avenue as outlined in brown on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet Nos. 4 and 14 of the Use District and the Height and Area District Maps of Article 40 of the Baltimore City Code (1950 edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, be and it is hereby amended by changing from the E-11½ Height and

Area District to the D-Restricted-40 Height and Area District, the property on the west side of Falls Road from a point south of Belvedere Avenue southerly as outlined in red; and by changing from the D-Restricted-40 Height and Area District to the E-1½ Height and Area District, the property west of Falls Road and south of Belvedere Avenue as outlined in green; and by changing from the Residential Use District to the First Commercial Use District, the property west of Falls Road and south of Belvedere Avenue, as outlined in brown on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the Plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1500

(Council No. 2308)

An ordinance to repeal Section 130 (69a-1) of Article 38 of the Baltimore City Code (1950 Edition),

title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1169, approved April 23, 1962; and to ordain in lieu thereof new Sections 130 (69a-1) and 130 (69a-2) to stand in the place of the sections so repealed, revising the provisions concerning the stopping and parking of vehicles on the north side of Lombard Street, between Calvert Street and Commerce Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 130 (69a-1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1169, approved April 23, 1962, be and it is hereby repealed; and that new Sections 130 (69a-1) and 130 (69a-2) be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

130.

(69a-1) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. on any day on the north side of Lombard Street, between Calvert Street and South Street; and between the hours of 9 A.M. and 6:30 P.M. on any day, no vehicle is permitted to be parked on this portion of the north side of Lombard Street.

(69a-2) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. on any day on the north side of Lombard Street between South Street and Commerce Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1501

(Council No. 2309)

An ordinance to add a new Section 130(41a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130(41) thereof, regulating the parking of vehicles on the west side of Light Street between Barre Street and Welcome Alley.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 130(41a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130(41) thereof, and to read as follows:

130.

(41a) No vehicle is permitted to be parked between the hours of 8 A.M. and 6 P.M. on the west side of Light Street, between Barre Street and Welcome Alley.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1502

(Council No. 2311)

An ordinance to repeal Sections 96(33) and 96(33a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said sections were ordained by Ordinance 965, approved November 13, 1961,

and to ordain in lieu thereof a new Section 96 (33), to stand in the place of the section so repealed, repealing sections providing for one-way traffic on Charles Street, between Lombard Street and Barre Street, and substituting a section providing for one-way traffic on Charles Street, between Lee Street and Lombard Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 96(33) and 96(33a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said sections were ordained by Ordinance 965, approved November 13, 1961, be and they are hereby repealed; and that new Section 96(33) be and it is hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

96.

(33) Charles Street, from Lee Street to Lombard Street, is a one-way street for vehicular traffic and shall be used by such traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1503

(Council No. 2320)

An ordinance to repeal Section 120 (69a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1463 approved June 6, 1958, and to ordain a new Sec-

tion 120 (69a) in lieu thereof to stand in the place of the section so repealed; revising the provisions concerning the parking of vehicles on the west side of Brentwood Avenue between Federal Street and Oliver Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 120 (69a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1463 approved June 6, 1958, and to ordain a new Section 120 (69a) in lieu thereof to stand in the place of the section so repealed, and to read as follows:*

120.

(69a) No vehicle is permitted to be parked between the hours of 8 a. m. and 6 p. m. on any day on the west side of Brentwood Avenue between Federal Street and Oliver Street.

SEC. 2. *And be it further ordained, That this ordinance shall take effect upon the date of its passage.*

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1504

(Council No. 2321)

An ordinance to repeal Sections 119(5 $\frac{1}{4}$), 119(5 $\frac{1}{2}$) and 119(5 $\frac{3}{4}$) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 1155 approved April 2, 1962; and to ordain in lieu thereof new Sections 119(5 $\frac{1}{4}$), 119(5 $\frac{1}{2}$) and 119(5 $\frac{3}{4}$) to stand in the place of the sections so repealed; revising the provisions concerning the stopping and parking of vehicles on certain portions of The Alameda.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 119(5 $\frac{1}{4}$), 119(5 $\frac{1}{2}$) and 119(5 $\frac{3}{4}$) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 1155 approved April 2, 1962, be and they are hereby repealed; and that new Sections 119(5 $\frac{1}{4}$), 119(5 $\frac{1}{2}$) and 119(5 $\frac{3}{4}$) be added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to stand in the place of the sections so repealed, and to read as follows:

119.

(5 $\frac{1}{4}$). No vehicle is permitted to be stopped between the hours of 4 p. m. and 6:30 p. m. on any day on the easterly side of The Alameda between 43rd Street and Northern Parkway.

(5 $\frac{1}{2}$). No vehicle is permitted to be stopped between the hours of 7:30 a. m. and 9 a. m. on any day on the westerly side of The Alameda between Northern Parkway and 43rd Street.

(5 $\frac{3}{4}$). No vehicle is permitted to be parked at anytime on the westerly side of The Alameda between Belvedere Avenue and Northwood Drive.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect upon the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1505

(Council No. 2322)

An ordinance to repeal Sections 95(7) and 95(7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said sections were ordained

by Ordinance No. 1177 approved April 23, 1962, and to ordain a new Section 95(7) in lieu thereof, to stand in the place of the sections so repealed, revising the ordinance concerning the one-way street provisions applicable to Beaufort Avenue between Lucille Avenue and Belvedere Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 95(7) and 95(7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said sections were ordained by Ordinance No. 1177, approved April 23, 1962, be and they are hereby repealed; and that a new Section 95(7) be and it is hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

95.

(7) Beaufort Avenue, from Lucille Avenue to Belvedere Avenue, is a one-way street for vehicular traffic and shall be used by such traffic in a north-erly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1506

(Council No. 2323)

An ordinance to repeal Section 141(50) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 457 approved October 8, 1952; to repeal Section 141(51) of this Article and subtitle, as ordained by Ordinance 294 approved April 29, 1952; to repeal Section 141(53) of said Article and subtitle, as or-

dained by Ordinance 1205 approved October 26, 1954; and ordain in lieu thereof new Sections 141(50), 141(51) and 141(51-a) of said Article and subtitle, to stand in the place of the sections so repealed, revising the provisions concerning the stopping and parking of vehicles on certain portions of Wilkens Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 141(50) of Article 38 of the Baltimore City Code (1950 Edition) title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 457 approved October 8, 1952, be and it is hereby repealed; that Section 141(51) of the same Article and subtitle as said section was ordained by Ordinance 294 approved April 29, 1952, be and it is hereby repealed; that Section 141(53) of the same Article and subtitle, as said section was ordained by Ordinance 1205 approved October 26, 1954, be and it is hereby repealed; and that new Sections 141(50), 141(51) and 141(51-a) of said Article and subtitle, are hereby ordained to stand in the place of the sections so repealed, and to read as follows:

141.

(50). No vehicle is permitted to be stopped between the hours of 4 p. m. and 6 p. m. on any day on the north side of Wilkens Avenue between Mount Street and Southwestern Boulevard.

(51). No vehicle is permitted to be stopped between the hours of 7 a. m. and 10 a. m. on any day on the south side of Wilkens Avenue between Southwestern Boulevard and Mount Street.

(51-a). No vehicle is permitted to be parked at any time on either side of Wilkens Avenue between DeSoto Road and Southwestern Boulevard.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect upon the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1507

(Council No. 2324)

An ordinance to add a new Section 134(13a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section to follow immediately after Section 134(13) thereof, prohibiting the parking of vehicles at any time on Patapsco Avenue, between Annapolis Avenue and Potee Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 134(13a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," said section to follow immediately after Section 134(13) thereof, and to read as follows:

134.

(13a). It is unlawful to park a vehicle at any time on either side of Patapsco Avenue, between Annapolis Avenue and Potee Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1508

(Council No. 2325)

An ordinance to add a new Section 136(42a) and 136(42b) to Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 136(42) thereof, regulating the parking of vehicles on Russell Street (Wenburn Street) between Tacoma Street and Annapolis Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That new Sections 136(42a) and 136(42b) be and they are hereby added to Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," said new sections to follow immediately after Section 136(42) thereof, and to read as follows:*

136.

(42a) It is unlawful to park a vehicle longer than one hour continuously between the hours of 8 A. M. and 6 P. M. on any day on the northerly side of Russell Street (Wenburn Street), between Tacoma Street and Annapolis Road.

(42b) It is unlawful to park a vehicle longer than one hour continuously between the hours of 8 A. M. and 8 P. M. on any day on the southerly side of Russell Street (Wenburn Street) between Tacoma Street and Annapolis Road.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1509

(Council No. 2326)

An ordinance to add a new Section 138(1/2) to Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," said new section immediately to precede Section 138(1) thereof, prohibiting the parking of vehicles on the east side of Tacoma Street, between Russell Street and Manokin Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That a new Section 138(1/2)*

be and it is hereby added to Article 38 of the Baltimore City Code (1950 edition), title "Traffic Regulations," subtitle "Parking," said new section immediately to precede Section 138(1) thereof, and to read as follows:

138.

(1/2). It is unlawful to park a vehicle at any time on the east side of Tacoma Street, between Russell Street and Manokin Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1510

(Council No. 2316)

An ordinance to add seven new sections to Article 1 of the Baltimore City Code (1950 Edition), title "Mayor and City Council," under the new subtitle "Baltimore City Economic Development Commission," said new sections to be known as Sections 33 to 39, both inclusive, to follow immediately after Section 32 of said Article 1 as said Section 28 was ordained by Ordinance No. 904, approved June 30, 1961; providing for the establishment of an unpaid Baltimore City Economic Development Commission and for the appointment and tenure of the members thereof; creating the Office of Director of the Baltimore City Economic Development Commission and providing for his appointment, compensation and enumeration of duties; providing for the appointment of additional personnel to the said Commission and the compensation therefor providing for the duties and functions of said Commission; providing

for the cooperation by all other Agencies, Boards, Commissions and Departments of the Mayor and City Council of Baltimore with the said Commission; providing for the liberal construction of the provisions of this ordinance; and providing for the separability of the various parts and applications of this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That seven new sections be and are hereby added to Article 1 of the Baltimore City Code (1950 Edition), title "Mayor and City Council," said new sections to be under the new subtitle "Baltimore City Economic Development Commission" and to be known as Sections 33 to 39, both inclusive, to follow immediately after Section 32 of said Article 1 as said Section 28 was ordained by Ordinance No. 904, approved June 30, 1961, and to read as follows:

BALTIMORE CITY ECONOMIC
DEVELOPMENT COMMISSION

33.

(a) There is hereby created an agency of the Mayor and City Council of Baltimore to be known as the Baltimore City Economic Development Commission, which shall consist of ten members. Nine of the members shall be appointed by the Mayor in the manner provided by Section 12 of the Baltimore City Charter as it now exists or as it hereafter may be amended, and shall consist of representatives of the following organizations:

One member of the Association of Commerce

One member of the Greater Baltimore Committee

One member of the Industrial Real Estate Council
of Baltimore

One member of the Junior Association of Com-
merce

One member of the Steamship Trade Association

Four members from the public at large who are residents of Baltimore City

(b) The term of office of each of the aforesaid nine members of the Commission shall be four (4) years, except that the first nine members of the Commission shall be appointed for staggered terms as follows: three to serve for two years; three to serve for three years; and three to serve for four years. The Mayor shall designate the terms of the members of the Commission first appointed.

(c) The tenth member of the Commission shall be the person who is then Chairman of the Planning Commission.

(d) The Mayor shall designate which of the Commissioners shall be the Chairman. The Chairman shall serve in such capacity at the pleasure of the Mayor. The members of the Commission shall select one of the members as Vice-Chairman, who, in the absence of the Chairman, shall preside over the meetings of the Commission and exercise the duties of the Chairman. The Vice-Chairman shall serve as such until the expiration of his term or until his office otherwise becomes vacant.

(e) No person shall be eligible to serve as a member of the Commission for more than two consecutive terms. However, any person appointed to fill an unexpired term shall not be deemed to have served a term for purposes of this subsection (e).

(f) The members of the Commission shall serve without compensation but shall be reimbursed for expenses necessarily incurred.

34.

The Baltimore City Economic Development Commission shall have a Director who shall be appointed by a majority of the members of the Commission, in accordance with the Classified City Service provisions of Sections 142 to 156, both inclusive, of the Baltimore City Charter as they now exist or as they hereafter may be amended. The salary of such

Director shall be subject to the approval of the Board of Estimates and shall be paid as provided in the annual Ordinance of Estimates. The Director shall serve as Secretary of the Commission, shall attend the meetings of the Commission, shall be Chief Administrative Officer of the Commission and shall have general charge of the work of the Commission, subject to its orders and directions.

35.

The Commission shall appoint such additional personnel as such compensation as may from time to time be approved by the Board of Estimates and authorized by the Annual Ordinance of Estimates.

36.

The duties of the Commission shall be as follows:

(a) To encourage industrial and commercial development within Baltimore City.

(b) To advise the Mayor and City Council of Baltimore concerning policies affecting the potential for economic expansion, and to recommend changes in such policies to improve the governmental climate for industry and commerce, thus promoting growth.

(c) To coordinate the efforts of the various agencies and groups, public and private, involved in whole or in part with economic development, as well as those organizations whose work affects the potential for economic growth. Such coordination is to be directed toward the accomplishment of maximum growth with minimum duplication of effort.

(d) To study and analyze, in cooperation with the Planning Commission, the City's economic potential and the maintenance, on a continuing basis, of such statistics and analyses as may be necessary for the guidance of the Commission in its work and recommendations. To formulate and execute a comprehensive long-range plan for economic growth which will provide a framework for the cooperation of all agencies and organizations in the public interest.

(e) To provide, in an advisory capacity only, such services as may be essential to encourage the overall economic growth of Baltimore City.

37.

All other agencies, boards, commissions and departments of the Mayor and City Council of Baltimore shall cooperate, where feasible, with the Commission in any manner necessary to aid the Commission in effectuating the purposes and provisions of this Ordinance.

38.

The provisions of this Article shall be construed liberally for the accomplishment of the purposes thereof.

39.

Severability. The provisions of this Ordinance are severable, and if any provision, sentence, clause, section or part thereof shall be held illegal, invalid or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of the Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein and if the person or circumstances to which the Ordinance or any part thereof is inapplicable had been specifically exempted therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved January 31, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1511

(Council No. 2098)

An ordinance to comply with the provisions of Section 1 of Article 13 of the Baltimore City Code (1950 edition), and to grant the assent of the Mayor and City Council of Baltimore to the establishment by the Union Memorial Hospital of a hospital building, to be used for general hospital purposes, on the premises now or hereafter owned by the Union Memorial Hospital, bounded on the south by East Thirty-third Street, on the east by Calvert Street, on the north by East Thirty-fourth Street, and on the west by Hargrove Alley.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the provisions of Section 1 of Article 13 of the Baltimore City Code (1950 edition), are complied with, and the assent of the Mayor and City Council of Baltimore is given to the establishment by the Union Memorial Hospital of a hospital building, to be used for general hospital purposes, on the premises now or hereafter owned by the Union Memorial Hospital, bounded on the south by East Thirty-third Street, on the east by Calvert Street, on the north by East Thirty-fourth Street, and on the west by Hargrove Alley. Except as in this ordinance provided, all ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the establishment of this hospital building.

SEC. 2. *And be it further ordained.* That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1512

(Council No. 2229)

An ordinance ratifying and approving of an agreement, dated April 11, 1962, by and between the Western Maryland Railway Company and the Mayor and City Council of Baltimore, relating generally to the opening, widening and improvement of Wabash Avenue from Belle Avenue to the Western Boundary of Baltimore city, and the construction and relocation of railroad utilities.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Agreement between the Western Maryland Railway Company and the Mayor and City Council of Baltimore, dated April 11, 1962, be and the same is hereby ratified and confirmed, said Agreement being as follows:*

"This Agreement, executed in sextuplicate, made and entered into April 11, 1962, by and between the Western Maryland Railway Company, a body corporate, party of the first part, hereinafter sometimes called 'Railway' and the Mayor and City Council of Baltimore, a municipal corporation, party of the second part, hereinafter sometimes called 'City'.

"Witnesseth:

"Whereas, because of the necessity of providing for the constant and unceasing growth in the volume of highway traffic and to promote and facilitate safety of such travel, the City proposes to construct a new highway in Baltimore City to be known as Wabash Avenue, hereinafter sometimes referred to as 'Project'; and

"Whereas, said Wabash Avenue, as planned will utilize portions of the Railway's property and will eliminate an existing yard and appurtenant facilities of Railway to the extent that said yard and facilities must be replaced; and

"Whereas, since the proposed Project involves

the construction of a new highway, which may increase the volume of vehicular traffic over Railway's crossings; and

"Whereas, benefits to Railway are zero; and

"Whereas, the parties hereto understand that funds have been or will be authorized and allocated by the Bureau of Public Roads pursuant to certain recent highway acts for such improvements, and the parties hereto being willing to cooperate with each other in accomplishing the Project, it being understood that pertinent laws and regulations pertaining thereto must be observed and complied with by both parties, but to the extent that no costs will inure to Railway, this Agreement is made for the purpose of stating the terms and conditions under which the aforesaid Project is to be made;

"Now, Therefore, This Agreement Witnesseth, that for and in consideration of the premises and the sum of One Dollar (\$1.00), paid by each party to the other, receipt whereof is hereby acknowledged, as well as other valuable considerations, and of the mutual covenants and agreements herein contained, City and Railway covenant and agree to and with each other as follows:

1. Detailed Plans and Specifications for the highway improvement will be prepared by City, or Consultants hired by City, provided that all of said Plans and Specifications and any changes therein shall be subject to the written approval of both parties to this Agreement, to the extent that their respective interests are affected thereby.

2. Railway will prepare, and submit to City, Plans and Estimates for the construction of a new paved yard comparable to its present yard facilities, necessary track and signal changes and all other work to be performed by Railway. This new yard to be located south of Railway's main line tracks in the vicinity of Hayward and Belvedere Avenues. Vehicular access to said yard in both directions to be provided to Hayward and Belvedere Avenues,

and circulatory access in both directions to Wabash Avenue to be provided via proposed median openings for intersections of Hayward and Belvedere Avenues.

3. The existing freight house at Garrison Avenue must be retired and a new station erected at Hayward Avenue. City, without cost to Railway, will provide within limits of City's rights-of-way connections for water, sewerage, and drainage services and connections for drainage service for the new yard and adjacent areas. Grading of the new yard and adjacent areas and installation of water, sewerage, and drainage services within limits of Railway's property shall be responsibility of Railway at City's expense.

4. Both parties recognize that alteration or relocation of Railway's main line tracks cannot be done. Railway will, however, shift its side track at Garrison Avenue northward toward the adjacent main track, maintaining minimum track clearances as presently prescribed by the Public Service Commission of Maryland. In order that minimum track clearance will be maintained on the south side of said side track, no part of the highway improvement, including but not limited to curbs and sidewalks, shall be located within thirteen feet zero inches (13'0") of the relocated centerline of said side track.

5. The complexity of highway traffic that will result at the Garrison Avenue grade crossing requires that the existing crossing gates and watchmen be replaced by standard automatic flashing light signals and short arm crossing gate protection coordinated with City's highway traffic light signal system. Railway shall furnish and install, as a part of this Project and at City's expense, the automatic flashing light and gate protection and the controlling electric circuits. These facilities will be located at the minimum distance from the track as recommended by the Signal Section of the Association of American Railroads. Clearance around these facilities, for protection against vehicular damage, as also

recommended by said Association will be provided by City in its highway design. Should these facilities be located on property of Railway to be acquired by City for this Project, Railway will reserve a sufficient right-of-way for the perpetual right, liberty, and privilege of locating, relocating, altering, renewing, repairing and operating said facilities. City shall be responsible for furnishing and installing highway traffic signals, connecting same to Railway's circuits, and properly maintaining the portion of this installation furnished by it.

6. City will officially close Lewin Avenue at its crossing of the Railway and Wabash Avenue. Railway will, as a part of this Project and at City's expense, remove existing paving and crossing protection on its right-of-way and install suitable barricades on the north side of the tracks. City will make the necessary provisions in the highway design to deny vehicular traffic access to the crossing on the south side of Railway's tracks.

7. The relocation of Railway's freight house will increase switching train movements over Hayward Avenue, which will require replacement of the existing crossing protection. Railway will, as a part of the Project and at City's expense, install automatic flashing light signals and short arm gates at Hayward Avenue. The terms and conditions contained in Section 5 shall also apply to this crossing.

8. The intersection of Patterson Avenue and Wabash Avenue will be in close proximity to Railway's grade crossing with Patterson Avenue. This will require changing Railway's existing crossing protection and the coordination with City's traffic light system. Railway will, as a part of the Project and at City's expense, install automatic flashing light signals and short arm gates at Patterson Avenue. The terms and conditions contained in Section 5 shall also apply to this crossing protection system.

9. Railway now has automatic flashing light signals and short arm gates located at Cold Spring Lane. Railway agrees to furnish, as part of this Project and at City's expense, the necessary wiring and circuits to the edge of Railway's right-of-way in order that Railway's automatic crossing protection can be coordinated with City's traffic light system. City agrees to install such traffic signals as required to minimize the occupancy of Railway's crossing by highway vehicular traffic and to coordinate their operation with Railway's crossing protection.

10. City plans, in the future, to open Belvedere Avenue across the grade of Railway's tracks, said street opening being of zero benefit to Railway. To minimize future expense, Railway will, as part of this Project, take into account this crossing in its re-design of track and signal circuits. All work, including automatic crossing protection, in connection therewith shall be performed at the expense of City, and installed, except as otherwise stated, in accordance with the same terms and conditions as recited in Section 5.

11. The Plans and Specifications for the Project shall provide, among other things, for the crossing of Wabash Avenue at grade with Railway's switching track at or near highway station 43+41 and Railway valuation station 187+74. Track work in the highway area will be performed by Railway. The balance of the work in the crossing will be performed by City. This crossing shall be protected by highway traffic signals with key activated controllers and track circuit controls for train movements. Railway will furnish, install and maintain, as part of this Project, the track circuit, the poles and span wires to support the signal, and the key activated controllers. City will furnish the necessary traffic signals for highway traffic and train operation and will properly maintain the portion of this installation furnished by it. Railway reserves unto itself, free of any charge, assessment or franchise by City, the perpetual right, liberty and

privilege for locating, relocating, altering, extending, repairing, and operating upon the crossing at grade hereinbefore described. Railway reserves the right to make application for additional crossings in the future at such locations as may be required by industries locating or proposing to locate industrial plants on the south side of Wabash Avenue opposite from Railway's property. Said application to be subject to mutual agreement of the parties hereto and restrictions imposed by Bureau of Public Roads regulations.

12. Should future vehicular traffic conditions require improvements to the various plans of crossing protection as now proposed, such improvements will be of zero benefit to Railway and will be provided and maintained at the expense of City.

13. All work in accordance with the Plans and Specifications for said Project shall be performed by City, Railway reserving the right to perform or cause to be performed such temporary or permanent alterations of track, tracks, drainage ditches, equipment, fixtures, signals, signal post, flashing lights, crossing gates, telephone, telegraph and other wires and lines, power transmission line or lines, conduits or pipes, devices, accessories and all other Railway appurtenances and facilities of whatever kind, nature or description only insofar as same is made necessary by construction of said Project. Railway's work may be performed by its own forces on a Force Account Basis or by contract (awarded by Railway, subject to the approval of City), or by a combination of both, including Preliminary Engineering, Construction Engineering, Inspection and Flagging Protection, all at the cost and expense of City.

14. City shall have general charge of engineering for the Project, but nothing herein shall deny Railway the right to place, at Project Expense, inspectors on work being performed by City's contractor or contractors on Railway's property or to perform such engineering service as may be neces-

sary for work performed by its own forces. City shall reimburse Railway for the cost of preliminary engineering incurred prior to the date of actual start of construction.

15. All work to be done by City's contractor or contractors in connection with the construction of Wabash Avenue, upon or adjacent to Railway's right-of-way, and affecting railroad operations and property, shall be performed in accordance with the Plans and Specifications, and in a manner satisfactory to the Chief Engineer of Railway or his authorized representative, and shall be performed at such times, and in such manner so as not to interfere with the movement of trains or traffic upon the tracks of Railway.

16. City's contractor or contractors shall, at all times, use all reasonable care and diligence and cooperate with the officials of Railway in order to avoid accidents, damage or unnecessary delay to or interfere with trains of Railway. Said contractor or contractors shall perform no work by operating upon Railway's tracks and shall not place or operate any equipment nor place any material closer than 25.0 feet from the center line of the track without first obtaining authority from Railway's Chief Engineer or his authorized representative. No explosive of any nature shall be used in the construction of the Project which will create a hazard to Railway facilities. It is the intent hereof that the safety and continuity of operation of the traffic of Railway shall be of the first importance, shall at all times be protected and safeguarded, and the contractor or contractors shall arrange their work accordingly. Any approvals of the Chief Engineer of Railway or his duly authorized representative will not be considered as a release from responsibility for any damage to Railway by acts of the contractor or contractors, or those of their sub-contractors or the employees of either.

17. Any watchmen, flagmen, trackmen, carpenters, trainmen or other employees deemed necessary by Railway during construction of said Project,

to protect or safeguard Railway property and traffic shall be provided by Railway and the cost thereof shall be paid to Railway by City as provided in Section 24 hereof regardless of whether the protection is required for work being done by Railway with its own forces, or by City's contractor or contractors. City shall require its contractor or contractors to consult with Railway's Chief Engineer, or his representatives, before starting work in the vicinity of Railway's right-of-way and abide by his instructions insofar as the safety of the railroad operations are concerned, and the contractor or contractors shall give Railway's Chief Engineer or his representative at least 48 hours notice in advance of his need for flagmen or watchmen. It is agreed, however, that the providing of such flagmen, etc., by Railway and other precautionary measures taken either by Railway or City, as a consequence of the work of the contractor or contractors, shall not relieve said contractor or contractors or their insurers of any liability for injury or damage arising in connection with their operations.

18. City shall acquire at its expense all rights-of-way and property required for the Project and will prepare or cause to be prepared, plat plans and metes and bounds descriptions of each parcel of property of Railway to be utilized for the Project, and will furnish copies of same to Railway. Railway property required for clearances, operations, and appurtenant Railway facilities shall not be acquired for highway right-of-way, and highway improvements will not be located thereupon without the express authority of Railway. Before said plat plans are approved, the highway right-of-way lines, as affecting Railway, shall be first agreed upon by both parties hereto.

19. The value of Railway property to be acquired by City shall be determined by the Real Estate Agents for the parties hereto; or if they cannot agree, either party hereto shall have the right to have the value determined by a jury in a condemnation proceeding. Said property is to be appraised

on the market value on the basis of its highest and best use.

20. Railway, insofar as it has legal right and its present title permits, will grant, subject to the terms, limitations and agreements herein set forth, unto City, the property so agreed upon and indicated by said plat plans and descriptions. Both parties understand and agree that Railway property required for this Project cannot be made available to City until such time as the new yard, signal crossing protection systems and necessary track changes have been completed and placed into operation. Should it be desired, Railway will, without prejudice to its rights, grant right-of-entries to City for portions of its properties not needed for railroading purposes.

21. At such locations as are mutually agreed upon by the parties hereto where the highway right-of-way will abut the right-of-way of Railway, City will, at its expense, install and maintain suitable metal chain link fencing, it being the purpose of this provision to prevent trespassing by the public upon the main line and team track facilities of Railway.

22. The cost of the work involved in the Project, including, but not limited to, necessary alterations, changes, replacements, rearrangement and/or relocation of existing tracks, yard, and other facilities of Railway, as made necessary by the Project; or necessary maintenance of Railway traffic during the construction work; of all work train equipment and personnel required (as provided in Section 17 hereof); of all insurance required by law and by the terms of the contract or contracts for the work of either City or Railway in connection with the Project; of the removal of all equipment; material and debris left over after the completion of construction work on the highway; of constructing drainage facilities to carry off water from the highway and adjacent areas, shall be borne solely by City. City shall not make final settlement with its contractor or contractors until all bills of Railway

to said contractor or contractors for any services rendered or work performed in connection with the operations of the contractor (s) or subcontractor (s) have been paid.

23. It is understood that a portion of the construction cost of the improvement herein contemplated is to be financed from funds provided by the Federal Government and, therefore, expended under Federal Regulations, set forth in the Bureau of Public Roads Policy and Procedure Memorandum 30-3, dated August 15, 1955, entitled 'Reimbursement for Railroad Work', and amendments thereto. Both parties hereto agree, however, that since the proposed Project and the changes to Railway and its facilities necessitated by said Project are of zero benefit to Railway, Railway shall not participate in any of said Project expenses. All Plans and Specifications, Estimates of cost, award of contract(s), acceptance of work, or procedure in general are subject at all times to all Federal laws, rules, regulations, orders, and approvals applying to it as a Federal Project, and Railway, as a convenience to City, will render its billing in accordance with said rules and regulations and will furnish such itemized records of, and substantiating data for, such costs as may be necessary. City agrees, however, to reimburse Railway for any and all costs and expenses for work and services performed by Railway growing out of or in connection with this Project, regardless of whether the same are reimbursable under said Federal rules and regulations or otherwise. In view of the fact that the materials to be salvaged by Railway for credit to the Project will be removed to provide right-of-way for the highway and will have little or no value to Railway, it is understood and agreed that all salvaged materials shall be disposed of and sold by Railway and the net proceeds shall constitute reimbursement in full for all salvage due on the Project.

24. City shall reimburse Railway monthly for costs and expenses for work and services performed by Railway. Railway's claim for said reimburse-

ment from City shall be filed with City not later than the twenty-fifth (25th) day of the succeeding month, and shall be paid by City within thirty (30) days thereafter. Exclusive of maintenance charges, final billing will be rendered by Railway within ninety (90) days after completion of Railway work.

25. Upon completion of said Project, Railway shall, except as hereinafter provided, at its own cost and expense, repair, renew and maintain its roadbed, tracks, drainage pipes and ditches, and other facilities. City shall at its own cost and expense, repair, renew and maintain all highway facilities, appurtenances and devices including all necessary culverts and drainage facilities within limits of City's property to adequately carry away the drainage for the highway and Railway property.

(a) Maintenance of the automatic flashing light signals and short arm gates shall be performed by Railway at its sole cost and expense. Maintenance of the Wabash Avenue crossing protection shall be performed by both parties as provided in Section 11 and at the sole expense of City.

(b) Maintenance of Railway facilities in the vicinity of Railway crossings of Wabash Avenue, Garrison Avenue, (Belvedere Avenue, future) and Hayward Avenue shall be limited to rails, ties, ballast and miscellaneous track material. The highway (or street) paving in said vicinities is part of the highway (or street) and City, at its sole cost and expense, and upon request of Railway, will remove and restore said paving to facilitate maintenance by Railway of its facilities. Railway shall secure without cost to it from City, highway permits to maintain its facilities and each party hereto will furnish, without cost to the other party, flagmen and watchmen as it deems necessary during said maintenance periods.

(c) In the event Railway flashing lights and short arm gates are damaged by reason of collision or accident arising out of the use of said highway (or street), Railway will make the repairs necessary

to restore same substantially to their former condition and City agrees to reimburse Railway the cost of such repairs.

(d) Maintenance of the embankment, drainage ditches, roadbed, ballast section, line and surface of Railway tracks and other Railway facilities, within limits of the Project and relocated section of Railway facilities, insofar as required within one (1) year from the time Railway begins operation over the relocated facilities, shall be at the expense of City, and Railway shall be reimbursed by it for the costs thereof promptly after submission of bills for expenses incurred thereby.

26. City shall remove or shall require its contractor or contractors to remove, before final payment to them, from within the limits of Railway's right-of-way, all machinery, equipment, surplus materials, falsework, rubbish, or temporary buildings and other property of City, or its contractor or contractors, used in connection with the Project but not incorporated in said highway and appurtenances as a part thereof, and shall leave the right-of-way and property of Railway in a condition satisfactory to the Chief Engineer of Railway or his authorized representative.

27. It is further agreed that sidewalks or footways abutting Wabash Avenue shall be considered a portion or integral part of the Project and Railway shall not be liable or required to participate in the costs thereof.

28. Each party hereto waives, but only as against the other, any and all damages or right to claim damages to any of its property growing out of or in any way connected with the improvements herein contemplated, except as otherwise provided for in this Agreement; it being understood and agreed between the parties hereto that such waiver does not apply and Railway reserves the right to make claim for consequential damages to its property caused by the acquisition by City of Railway property for said Wabash Avenue and from the location

of said highway adjacent to its right-of-way and line of railroad in this area.

29. The parties hereto agree that they will require their respective contractor(s) and sub-contractor(s), as the case may be, to procure and maintain during progress of the work to be performed hereunder, liability and property damage insurance of the type and in the amounts normally required by City and Railway, respectively, in work of this character, and that such insurance shall be so written as to inure to the benefit of City and Railway as their interest may appear.

30. City hereby agrees to protect, indemnify and save harmless Railway, its successors and assigns, from and against all claims, costs, expenses, liabilities, demands and suits for loss or damage sustained by it, its employees or by any other corporation or person, caused or occasioned by, or growing directly or indirectly out of the maintenance or repair of said highway adjacent to the property, roadbed and tracks of Railway, its successors and assigns, now or hereafter to be built or on account of the construction, extension, alteration or change in said highway, or its facilities, piers or any temporary supports as hereinbefore provided for; provided, however, that if such loss or damage is contributed to by the negligence of Railway, its employees or agents, the same shall be shared equally by the parties hereto and provided, further, however, that if such loss or damage is caused by the sole negligence of Railway, its employees or agents, it shall be entirely and solely liable therefor.

31. The terms and provisions of this Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

32. This Agreement shall not be effective unless the Federal Government finally approves and makes the necessary funds available for said proposed Project herein contemplated, and this Agreement shall not be held, taken or considered as creating

a precedent in any way affecting the terms and conditions upon which other work shall be done, now or hereafter.

33. It is understood and agreed that this Agreement is to be submitted to the City Council of Baltimore City for ratification by an Ordinance of the City upon which ratification it shall become effective.

"In Witness Whereof, the parties have hereunto caused this Agreement to be duly executed in sextuplicate by their proper officials, on the day and year first above written.

ATTEST:

s/s M. Epple
Deputy Treasurer

ATTEST:

s/s E. C. Lanahan
Secretary

Mayor and City Council of Baltimore

By s/s J. Harold Grady
Mayor

The Western Maryland Railway Company

By s/s W. Arthur Grotz
President

Approved as to form and legal sufficiency this 3rd
day of April, 1962.

s/s Francis B. Burch
City Solicitor

s/s Lloyd G. McAllister
Assistant City Solicitor

Submitted to and approved by the Board of Estimates this 11 day of April, 1962.

s/s Leo C. McDonagh
Clerk

APPROVED:

Bureau of Highways

By s/s G. V. Walters
Highways Engineer

APPROVED:

Western Maryland Railway Company

By s/s F. L. Etchison
Chief Engineer

APPROVED:

Department of Public Works

By s/s Bernard L. Werner
Director

(Approved 3/30/62
CLS)."

SEC. 2. *Be it further ordained*, That the Mayor of Baltimore be and he is hereby authorized and directed:

(1) For and in the name of the Mayor and City Council of Baltimore to execute and deliver, in accordance with the terms of the aforementioned Agreement, such Deed or Deeds and instruments necessary to carry out the provisions thereof by the Mayor and City Council of Baltimore.

(2) For and on behalf of the Mayor and City Council of Baltimore to accept from the said Railway, in accordance with the terms of the aforementioned Agreement, such Deed or Deeds and

instruments necessary to carry out the provisions thereof by the Railway.

SEC. 3. *And be it further ordained*, That no Deed or Deeds shall pass in accordance herewith unless the same shall have first been approved by the City Solicitor.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1513

(Council No. 2245)

An ordinance to repeal and reordain with amendments Sections 82, 83, 84, and 85 of Article 12 of the Baltimore City Code (1950 Edition), title "Health," subtitle "Morgue," and to repeal Section 86 of said Article and subtitle, revising the ordinance concerning the operation of the morgue in Baltimore City in order to eliminate obsolete provisions and to clarify the language thereof.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 82, 83, 84, and 85 of Article 12 of the Baltimore City Code (1950 Edition), title "Health," subtitle "Morgue," be and they are hereby repealed and reordained with amendments, and that Section 86 of said Article and subtitle be and it is hereby repealed, all to read as follows:

82.

The city shall maintain a building to be used as a morgue for the reception and preserving for identification of the bodies of unknown persons dying within the limits of the City of Baltimore, and such other bodies as may be directed to be placed therein by the Chief Medical Examiner,

or his representative, of the State of Maryland except the bodies which may be so far decomposed as to be beyond the probability of recognition.

83.

All bodies not identified and claimed shall remain in the morgue for at least forty-eight hours, or for such a length of time as the Chief Medical Examiner may deem proper and necessary. In the erection of the morgue such arrangements shall be made as may be deemed necessary for the proper preservation of the bodies.

84.

A room shall be provided in the morgue for the preservation of the clothing and effects for purpose of identification of all deceased persons buried therefrom, which clothing and effects shall be carefully numbered and retained for twelve months after which time they shall be disposed of in accordance with the provisions of law.

85.

The Post Mortem Examiners Commission shall have general charge of and supervision over the morgue and shall make, and from time to time amend or change, such rules and regulations as are not inconsistent with this subtitle and are necessary and proper for the operation of the morgue, the care and disposition of bodies therein, and the care and disposal of the clothing and personal effects of deceased persons buried therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1514

(Council No. 2335)

An ordinance to add Section 111(16a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 111(16) thereof, making Rogers Avenue, from Pimlico Road to Greenspring Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111(16a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 111(16) thereof, and to read as follows:

111.

(16a) Rogers Avenue, from Pimlico Road to Greenspring Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1515

(Council No. 2336)

An ordinance to add Section 106(24a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately

after Section 106(24) thereof, making Mondawmin Avenue, from Denison Street to Longwood Street, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 106(24a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 106(24) thereof, and to read as follows:

106.

(24a) Mondawmin Avenue, from Denison Street to Longwood Street, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1516

(Council No. 2337)

An ordinance to add Section 111(16a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 111(16) thereof, making Rogers Avenue, from Stuart Avenue to Northern Parkway, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111(16a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regula-

tions," subtitle "One-Way Streets," said new section to follow immediately after Section 111(16) thereof, and to read as follows:

111.

(16a) Rogers Avenue, from Stuart Avenue to Northern Parkway, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1517

(Council No. 2338)

An ordinance to add Section 111(26a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 111(26) thereof, making Russell Street, from Baltimore-Washington Parkway to Annapolis Road, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111(26a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 111(26) thereof, and to read as follows:

111.

(26a) Russell Street, from Baltimore-Washington Parkway to Annapolis Road, is hereby declared to

be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1518

(Council No. 2340)

An ordinance to add Section 116(10a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 116(10) thereof, making Wenburn Street, from Annapolis Road to Sidney Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 116(10a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 116(10) thereof, and to read as follows:

116.

(10a) Wenburn Street, from Annapolis Road to Sidney Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1519

(Council No. 2341)

An ordinance to add Section 104(3a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 104(3) thereof, making Kenwood Avenue, from Preston Street to Chase Street, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 104(3a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 103(4) thereof, and to read as follows:

104.

(3a) Kenwood Avenue, from Preston Street to Chase Street, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a southerly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1520

(Council No. 2342)

An ordinance to repeal Section 111(7) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 951, approved June 7, 1957, and mak-

ing a one-way street of Regester Street, from Lancaster Street to Lombard Street; and to ordain a new Section 111(7) in lieu thereof, to stand in the place of the section so repealed, making a one-way street of Regester Street from Lancaster Street to Baltimore Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111(7) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section having been ordained by Ordinance 951, approved June 7, 1957, be and it is hereby repealed; and that a new Section 111(7) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

111.

(7) Regester Street, from Lancaster Street to Baltimore Street, is a one-way street for vehicular traffic and shall be used by such traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1521

(Council No. 2343)

An ordinance to repeal Section 120(1a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section having been ordained by Ordinance 955, approved June 7, 1957, and regulating the parking of vehicles on certain portions of Baltimore Street; and to ordain new Sections 120(1a) and 120(1a-1) in lieu thereof, to stand in the place of the section so repealed, regulating the

parking of vehicles on certain portions of Baltimore Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 120(1a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said section having been ordained by Ordinance 955, approved June 7, 1957, be and it is hereby repealed; and that new Sections 120(1a) and 120(1a-1) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

120.

(1a) No vehicle is permitted to be parked longer than 2 hours continuously between the hours of 8 A.M. and 6 P.M. on any day on the north side of Baltimore Street between the intersection of Conkling Street and a point 200 feet westerly from Eaton Street.

(1a-1) No vehicle is permitted to be parked longer than 2 hours continuously between the hours of 8 A.M. and 6 P.M. on any day on the north side of Baltimore Street from a point approximately 392 feet easterly from Eaton Street to the intersection of Haven Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1522

(Council No. 2344)

An ordinance to repeal Sections 120(5a) and 120(5b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by

Ordinance 491, approved November 22, 1960, and to ordain new Sections 120(5a), 120(5b), 120(5c), and 120(5d), in lieu thereof, to stand in the place of the sections so repealed, revising the provisions concerning the stopping of vehicles on certain portions of Barclay Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 120(5a) and 120(5b) of Article 38 of the Baltimore City Code (1950 Edition) title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 491, approved November 22, 1960, be and they are hereby repealed; and that new Sections 120(5a), 120(5b), 120(5c), and 120(5d) be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

120.

(5a) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. on any day on the west side of Barclay Street, between North Avenue and Twentieth Street.

(5b) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. on any day on the west side of Barclay Street, between Twenty-fourth Street and Twenty-sixth Street.

(5c) No vehicle is permitted to be stopped between the hours of 4 P.M. and 6 P.M. on any day on the east side of Barclay Street between North Avenue and Twentieth Street.

(5d) No vehicle is permitted to be stopped between the hours of 4 P.M. and 6 P.M. on any day on the east side of Barclay Street, between Twenty-fourth Street and Twenty-sixth Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1523

(Council No. 2357)

An ordinance to waive any applicable and conflicting provisions of Article 5 of the Baltimore City Code (1950 Edition as amended), said Article being known generally as the Building Code of Baltimore City, in order to permit a certain extension over the building line in the alley along the premises known generally as 101 Light Street, and to permit cutting into the curb in said alley to permit reasonable access to the said premises.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That all applicable and conflicting provisions of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, are waived in order to permit a certain extension over the building line for use as a drive-in banking window and projecting into an alley on the rear of the premises known generally as 101 Light Street. This projection from the main building of said premises may range from a minimum of approximately 1 foot 2 inches to a maximum of approximately 1 foot 9 inches. In addition, the curb line of the alley may be cut in order to permit reasonable access by vehicles to said premises and projection. Except as in this ordinance otherwise provided, all other ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of this projection and of this cut into the curb line.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1524

(Council No. 2393)

An ordinance to repeal Section 26(d) of Article 15 of the Baltimore City Code (1950 Edition), title "Inspections, Weights and Measures," subtitle "Weights and Measures," repealing a provision that nothing in this subtitle shall be construed to apply to certain bread or to certain liquid milk or cream or milk products.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 26(d) of Article 15 of the Baltimore City Code (1950 Edition), title "Inspections, Weights and Measures," subtitle "Weights and Measures," be and it is hereby repealed.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1525

(Council No. 2395)

An ordinance to repeal and re-ordain with amendments Section 53(h) of Article 19 of the Baltimore City Code (1950 Edition), title "Licenses," subtitle "Pinball Machines, etc." as said section was last amended by Ordinance 1494, approved January 7, 1963, amending the penalty provisions in the ordinance concerning the licensing of certain amusement devices for public entertainment or amusement.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 53(h) of Article

19 of the Baltimore City Code (1950 Edition), title "Licenses," subtitle "Pinball Machines," as said section was last amended by Ordinance 1494, approved January 7, 1963, be and it is hereby repealed and re-ordained with amendments, to read as follows:

53.

(h) Any person or other legal entity who shall participate or aid in any manner in the evasion of the payment of the license fees imposed under this Section, or who shall violate any of the terms or provisions of this Section or any of the rules or regulations made, adopted or promulgated by the City Treasurer under the provisions of this Section, shall be deemed guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be subject to a fine of not more than one hundred dollars (\$100) for each offense.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1526

(Council No. 2399)

An ordinance to add Section 96(31a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96(31) thereof, making Charing Cross Road, from the City Line to the first driveway west of Greenwich Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 96(31a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96(31) thereof, and to read as follows:

96.

(31a) Charing Cross Road, from the City Line to the first driveway west of Greenwich Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1527

(Council No. 2415)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 3 of the Acts of the General Assembly of Maryland of 1963), to issue its certificates of indebtedness to an amount not exceeding one million six hundred thousand dollars (\$1,600,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for constructing, erecting and equipping on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, buildings or structures to be used for or in connection with a pre-trial detention

center and all facilities and appurtenances necessary or useful in connection with the use and operation of such buildings or structures, such pre-trial detention center to be constructed in conjunction with the proposed detention building for women, and such pre-trial detention center to be used generally for holding persons prior to court action; to construct, erect and equip an additional floor to the headquarters building of the Police Department of Baltimore City, located at Falls-way and Fayette Street in the City of Baltimore, to be used generally in connection with the functions and operations of said police department; improving, modernizing, reconstructing and equipping the building or structure known as the General Market Hall (which is now occupied by the Maryland Institute for the promotion of the mechanic art) located at the southeast corner of Market Place and Baltimore Street in the City of Baltimore, to be used generally for the functions and operations of the Municipal Court of Baltimore City; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 3 of the Acts of the General Assembly of Maryland of 1963, the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness

(hereinafter called "bonds") as evidence thereof, to an amount not exceeding Nine Million Dollars (\$9,000,000.00) in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for the purposes authorized by said Act; and

WHEREAS, funds are now needed for the purposes mentioned in said Act; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding One Million Six Hundred Thousand Dollars (\$1,600,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:

Each of the Years	Amount in Each of the Years
1966 through 1979, both inclusive	\$100,000.00
1980	200,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by

this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of as-*

sessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for constructing, erecting and equipping on any land or property now or hereafter owned by

the Mayor and City Council of Baltimore, buildings or structures to be used for or in connection with a Pre-Trial Detention Center and all facilities and appurtenances necessary or useful in connection with the use and operation of such buildings or structures, such Pre-Trial Detention Center to be constructed in conjunction with the proposed Detention Building for Women, and such Pre-Trial Detention Center to be used generally for holding persons prior to court action; to construct, erect and equip an additional floor to the Headquarters Building of the Police Department of Baltimore City, located at Fallsway and Fayette Street in the City of Baltimore, to be used generally in connection with the functions and operations of said Police Department; improving, modernizing, reconstructing and equipping the building or structure known as the General Market Hall (which is now occupied by the Maryland Institute for the Promotion of the Mechanic Art) located at the southeast corner of Market Place and Baltimore Street in the City of Baltimore, to be used generally for the functions and operations of the Municipal Court of Baltimore City; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1528

(Council No. 2416)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 1 of the Acts of the General Assembly of Maryland of 1963), to issue its certificates of indebtedness to an amount not exceeding Two Million Dollars (\$2,000,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for extending, enlarging, developing and improving the general park and recreational system and facilities of the Mayor and City Council of Baltimore (except in the area generally referred to as the Jones Falls Valley), including, but not limited to, the acquisition, by purchase or condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore; the construction and erection of buildings, structures and facilities; the construction and installation of roads, driveways, parking areas, water, sewerage, electrical and other utilities; the acquisition and installation of equipment for any and all new facilities authorized to be constructed or erected under the provisions hereof; the landscaping of new park and recreational areas authorized to be acquired under the provisions hereof; securing architectural and engineering services and surveys, and for any other activities relating to planning for any of the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of

May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 1 of the Acts of the General Assembly of Maryland of 1963, the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Eight Million Eight Hundred Thousand Dollars (\$8,800,000.00) in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for recreation and park purposes as authorized by said Act; and

WHEREAS, funds are now needed for extending, enlarging, developing and improving the general park and recreational system and facilities of the Mayor and City Council of Baltimore (except in the area generally referred to as the Jones Falls Valley) as mentioned in said Act; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Two Million Dollars (\$2,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordi-*

nance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in ten (10) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:

Each of the Years	Amount in Each of the Years
1966 through 1975, both inclusive	\$200,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any,

for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public

sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for extending, enlarging, developing and improving the general park and recreational system and facilities of the Mayor and City Council of Baltimore (except in the area generally referred to as the Jones Falls Valley), including, but not limited to, the acquisition, by purchase or condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore; the construction and erection of buildings, structures and facilities; the construction and installation of roads, driveways, parking areas, water, sewerage, electrical and other utilities; the acquisition and installation of equipment for any and all new facilities authorized to be constructed or erected under the provisions hereof; the landscaping of new park and recreational areas authorized to be acquired under the provisions hereof; securing architectural and engineering services and surveys, and for any other activities relating to planning for any of the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. *And be it further ordained,* That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and

City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1529

(Council No. 2417)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 214 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962—special session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding Three Million Dollars (\$3,000,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the purpose of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City, including, but not limited to, the construction of additional sewage disposal plants, pumping stations and other appurtenances, the alteration, repair and improvement of existing sewage disposal plants, pumping stations and other appurtenances, and the acquisition by purchase or condemnation of any and all sanitary and storm water sewers, sewage disposal plants, pumping stations and other appurtenances, as well as of any and all land and property, and of any right, interest, franchise, easement or privilege therein, as may be necessary for any or all of the above mentioned purposes, and any or all of said work or acquisition of property may be done either within or outside of the boundary

lines of Baltimore City ; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties ; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 214 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Twelve Million Dollars (\$12,000,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for the purpose of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City, as authorized by said Act ;

WHEREAS, Ordinance No. 1275, approved June 4, 1962, authorized the Mayor and City Council of Baltimore to issue the certificates of indebtedness of said municipality to an amount not exceeding Nine Million Dollars (\$9,000,000.00) and to use the proceeds derived from the sale of said certificates of indebtedness for the purposes hereinbefore mentioned ; and

WHEREAS, additional funds are now needed and

necessary for the purposes mentioned in said Act; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Three Million Dollars (\$3,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in twenty (20) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:

Each of the Years	Amount in Each of the Years
1967	\$400,000.00
1968 through 1974, both inclusive	200,000.00
1975 through 1986, both inclusive	100,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable

semi-annually on the fifteenth day of April and the fifteenth day of October in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained,* That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained, That* until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained, That* this Ordinance shall be submitted to the legal voters

of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the purpose of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City, including, but not limited to, the construction of additional sewage disposal plants, pumping stations and other appurtenances, the alteration, repair and improvement of existing sewage disposal plants, pumping stations and other appurtenances, and the acquisition by purchase or condemnation of any and all sanitary and storm water sewers, sewage disposal plants,

pumping stations and other appurtenances, as well as of any and all land and property, and of any right, interest, franchise, easement or privilege therein, as may be necessary for any or all of the above mentioned purposes, and any or all of said work or acquisition of property may be done either within or outside of the boundary lines of Baltimore City.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1530

(Council No. 2418)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 1 of the Acts of the General Assembly of Maryland of 1963), to issue its certificates of indebtedness to an amount not exceeding Three Million Dollars (\$3,000,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for acquisition, by purchase or condemnation or any other legal means, of land or property, or any rights therein, in the area in Baltimore City generally referred to as the Jones Falls Valley and for the development and improvement of such land and property for general park purposes, including, but not limited to, the

construction and erection of buildings, structures and facilities; the construction and installation of roads, driveways, parking areas, water, sewerage, electrical and other utilities; the acquisition and installation of equipment for any and all new facilities authorized to be constructed or erected under the provisions hereof; the landscaping of new park and recreational areas authorized to be acquired under the provisions hereof; securing architectural and engineering services and surveys, and for any other activities relating to planning for any of the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 1 of the Acts of the General Assembly of Maryland of 1963, the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Eight Million Eight Hundred Thousand Dollars (\$8,800,000.00) in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for recreation and park purposes as authorized by said Act; and

WHEREAS, funds are now needed for acquiring, developing and improving property in the area in Baltimore City generally referred to as the Jones Falls Valley for general park purposes as mentioned in said Act; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Three Million Dollars (\$3,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.*

SEC. 2. *And be it further ordained, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in ten (10) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:*

Each of the Years	Amount in Each of the Years
1965 through 1974, both inclusive	\$300,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of

said bonds are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained,* That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained, That* until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained, That* this Ordinance shall be submitted to the legal voters

of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for acquisition, by purchase or condemnation or any other legal means, of land or property, or any rights therein, in the area in Baltimore City generally referred to as the Jones Falls Valley and for the development and improvement of such land and property for general park purposes, including, but not limited to, the construction and erection of buildings, structures and facilities; the construction and installation of roads, driveways, parking areas, water, sewerage, electrical and other utilities; the ac-

quisition and installation of equipment for any and all new facilities authorized to be constructed or erected under the provisions hereof; the landscaping of new park and recreational areas authorized to be acquired under the provisions hereof; securing architectural and engineering services and surveys, and for any other activities relating to planning for any of the purposes above mentioned; and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned.

SEC. 9. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1531

(Council No. 2419)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 4 of the Acts of the General Assembly of Maryland of 1963), to issue its certificates of indebtedness to an amount not exceeding Five Million Dollars (\$5,000,000.00), the proceeds derived from the sale of the certificates of indebtedness, not exceeding Three Million Dollars (\$3,000,000.00) (less so much thereof as may be necessary to pay for the cost of issuing such certificates of indebtedness) to be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests therein, in the

City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping buildings, structures and other facilities on, under or in said land or property, or on, under or in any land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, or on, under or in any land or property owned or otherwise held or controlled by any private, public or quasi-public corporation, partnership, association, person or other legal entity, for storing, parking and servicing self-propelled vehicles, and for the payment of any and all necessary or proper costs and expenses connected with, or incident to doing any or all of the foregoing acts or things; and such proceeds may be used for any or all of the matters or things hereinbefore mentioned in connection with an underground structure or facility for storing, parking and servicing self-propelled vehicles (hereafter called "parking facility") where another building, structure or facility (hereafter called "additional structure") is to be or may be established, constructed or erected in whole or in part above, under, in connection with or adjacent to a parking facility, provided that none of such proceeds shall be used for or in connection with the construction or erection of such additional structure, or any part thereof, or for strengthening or adding to a parking facility in any manner necessitated by or in connection with the construction or erection of such additional structure; and the proceeds derived from the sale of the certificates of indebtedness, not exceeding Two Million Dollars (\$2,000,000.00), (less so much thereof as may be necessary to pay for the cost of issuing such certificates of indebtedness) may be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping (including, but not lim-

ited to, parking meters) buildings, structures and other facilities on, under or in said land or property, or on, under or in any land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, for storing, parking and servicing self-propelled vehicles, and for the payment of any and all necessary and proper costs and expenses connected with, or incident to, doing any or all of the foregoing acts or things; provided, that no petroleum products shall be sold or offered for sale at any entrance to, or exit from, any land so acquired or at any entrance to, or exit from, any structure erected thereon, when any entrance to or exit from, any such land or structure faces a street or highway which is more than 25 feet wide from curb to curb; to confer and impose upon the Commissioners of Finance and the Off-Street Parking Commission of Baltimore City certain powers and duties; to provide certain conditions which must be complied with before the proceeds of sale of said certificates of indebtedness may be expended; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore.

WHEREAS, by Chapter 4 of the Acts of the General Assembly of Maryland of 1963, the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Five Million Dollars (\$5,000,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for the establishment of facili-

ties for storing, parking and servicing self-propelled vehicles, as authorized by said Act; and

WHEREAS, funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Five Million Dollars (\$5,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained, That:*

(a) Said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof.

(b) Said bonds, or any part thereof, shall be issued in accordance with a serial maturity plan so worked out as to discharge the entire principal amount represented thereby within not more than forty (40) years from the date of their issuance; provided, however, that it shall not be necessary to provide for the maturity of any part of the principal amount represented by any of said bonds for the first five (5) years from the date of their issuance.

(c) Said bonds, when issued, shall bear interest

at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, and such interest shall be payable semi-annually.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The amount of debt to be incurred by the Mayor and City Council of Baltimore at any particular time, and from time to time, under and pursuant to the provisions of this ordinance; the date or dates when any bonds representing said debt, or any part thereof, are to mature, and the amount or amounts of said debt, or any part thereof, which shall mature upon the aforesaid date or dates; and the semi-annual dates in each year, during the entire period of time when any of said bonds are outstanding, when interest on any of said bonds shall be payable;

(b) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(c) The time, place, manner and medium of ad-

vertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and their transfer, and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be

offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained*, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained*, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) Three Million Dollars (\$3,000,000.00) of such

proceeds (less so much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith) shall be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping buildings, structures and other facilities on, under or in said land or property, or on, under or in any land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, or on, under or in any land or property owned or otherwise held or controlled by any private, public or quasi-public corporation, partnership, association, person or other legal entity, for storing, parking and servicing self-propelled vehicles, and for the payment of any and all necessary or proper costs and expenses connected with, or incident to doing any or all of the foregoing acts or things; and such proceeds may be used for any or all of the matters or things hereinbefore mentioned in connection with an underground structure or facility for storing, parking and servicing self-propelled vehicles (hereafter called "parking facility") where another building, structure or facility (hereafter called "additional structure") is to be or may be established, constructed or erected in whole or in part above, under, in connection with or adjacent to a parking facility, provided that none of such proceeds shall be used for or in connection with the construction or erection of such additional structure, or any part thereof, or for strengthening or adding to a parking facility in any manner necessitated by or in connection with the construction or erection of such additional structure; and

(b) Two Million Dollars (\$2,000,000.00) of such proceeds (less so much thereof as may be necessary, in addition to the premiums realized from the sale,

if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith), may be used for the acquisition, by purchase, lease, condemnation or any other legal means, of land or property, or any rights or interests therein, in the City of Baltimore, and for developing, establishing, constructing, erecting, altering, expanding, enlarging, improving and equipping (including, but not limited to, parking meters) buildings, structures and other facilities on, under or in said land or property, or on, under or in any land or property that is now or hereafter may be owned or otherwise held or controlled by the Mayor and City Council of Baltimore, for storing, parking and servicing self-propelled vehicles, and for the payment of any and all necessary and proper costs and expenses connected with, or incident to, doing any or all of the foregoing acts or things.

Provided, however, that no petroleum products shall be sold or offered for sale at any entrance to, or exit from, any land so acquired or at any entrance to, or exit from, any structure erected thereon, when any entrance to, or exit from, any such land or structure faces a street or highway which is more than 25 feet wide from curb to curb.

SEC. 9. *And be it further ordained*, That the sum of Three Million Dollars (\$3,000,000.00) derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance and designated in Section 8(a) hereof (less the cost of issuance of said bonds as aforesaid) shall be subject to, and expended in accordance with, the following provisions:

A. That the Off-Street Parking Commission of Baltimore City is hereby vested with full power to administer and supervise the proceeds derived from the sale of the bonds, including, but not limited to, the expenditure and disposition thereof. The Commission may appoint a Secretary who shall perform such duties as may be imposed upon him by ordi-

nance of the Mayor and City Council of Baltimore or as may be assigned to him by the Commission, and appoint, employ, hire or engage such assistance, aides and employees as may be deemed necessary for the proper performance of the duties of the Commission. The compensation of said Secretary and other assistants, aides and employees shall be subject to the approval of the Board of Estimates of the Mayor and City Council of Baltimore and shall be paid as provided in the Annual Ordinance of Estimates of said municipality. The Commission, with the prior approval of the Board of Estimates, may employ or hire, from time to time, by contract, consulting, planning or designing engineers or architects or other persons possessing technical or specialized skills in connection with the duties and powers of the Commission. The Commission shall exercise all powers and authority conferred upon it in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore as it is now constituted or as it hereafter may be amended.

B. No part of the proceeds of sale of said bonds shall be expended until after The Off-Street Parking Commission of Baltimore City has submitted its written recommendation, which shall set forth the purposes for, and the terms and conditions upon, which each particular sum of money is to be expended, to the Board of Estimates of the Mayor and City Council of Baltimore and such recommendation has been approved by said Board of Estimates.

C. In addition, no part of the proceeds of sale of said bonds shall be expended for actually constructing, erecting, altering, expanding, enlarging, improving or equipping any building, structure or facility on, under or in any land or property, regardless of who owns or otherwise holds or controls any such land or property, for storing, parking and servicing self-propelled vehicles (as distinguished from funds which are necessary to be expended in connection with the acquisition of land or property or the preparation of plans or the em-

ployment of assistants, aides and employees of The Off-Street Parking Commission of Baltimore City or other matters or things which are usually and generally preliminary to the commencement of actual construction work) until after the municipal corporation, with the approval of its Board of Estimates, shall have entered into a binding contract with a private, public or quasi-public corporation, partnership, association, person or other legal entity secured to the satisfaction of the said Board of Estimates, under the terms of which the Mayor and City Council of Baltimore will be reimbursed for at least all expenditures of money made by it in connection with the particular project involved, and for all interest charges paid or to be paid by the Mayor and City Council of Baltimore on all funds borrowed by it and expended in connection with the particular project involved, and for all estimated real estate taxes that the Mayor and City Council of Baltimore will lose as a result of it acquiring any land or property involved in the particular project. Any such contract, after it has been executed on behalf of the Mayor and City Council of Baltimore by the Mayor of Baltimore City and the corporate seal of the municipality affixed thereto duly attested by the Treasurer of the municipality and approved by the said Board of Estimates, shall constitute a legal and binding obligation of the Mayor and City Council of Baltimore.

D. In case any land or property now or hereafter owned by the Mayor and City Council of Baltimore is sold by it to any legal entity for the purpose of establishing and constructing on, under or in said land or property any structure or facility contemplated by the provisions of this Ordinance, then the purchaser of said land or property shall pay to the municipality at least an amount of money equal to the full appraised value of said land or property, and in case any such land or property is leased by the municipality to any legal entity for any of the purposes hereinbefore mentioned, then the lessee shall pay annually to the municipality an amount

of money equal to the reasonable rental value of said land or property. In the event any such land or property is sold by the municipality as aforesaid and such land or property is then reconveyed back to the municipality as security for any loan made by the municipality to the purchaser under the provisions of this Ordinance, then such purchaser shall pay annually to the municipality in lieu of taxes a sum of money equal to an amount arrived at by multiplying the assessed valuation of said land or property for the year in which the municipality sells such land or property by the then current tax rate of the municipality. All payments made in lieu of taxes shall be made when real estate taxes of the municipality ordinarily become due and payable.

E. That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance and designated in Section 8(a) hereof and in this Section 9 shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore.

SEC. 10. *And be it further ordained*, That the sum of Two Million Dollars (\$2,000,000.00) derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance and designated in Section 8(b) hereof (less the cost of issuance of said bonds as aforesaid) shall be subject to, and expended in accordance with, the following provisions:

A. No part of the proceeds of sale of said bonds shall be expended until after The Off-Street Parking Commission of Baltimore City has submitted its written recommendation, which shall set forth the purposes for, and the terms and conditions upon, which each particular sum of money is to be expended, to the Board of Estimates of the Mayor and City Council of Baltimore and such recommendations has been approved by said Board of Estimates.

B. That the expenditure of the proceeds derived

from the sale of the bonds authorized to be issued under the provisions of this Ordinance and designated in Section 8(b) hereof and in this Section 10 shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

C. In the event the Board of Estimates of the Mayor and City Council of Baltimore at any time determines for any reason that all or any portion of the proceeds derived from the sale of said bonds and designated in Section 8(b) hereof and in this Section 10 is not to be used for the purposes set forth in Section 8(b) hereof then, and in such case, such proceeds may be used for the purposes set forth in Section 8(a) hereof, subject to, and in accordance with, the provisions of Section 9 hereof.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1532

(Council No. 2420)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 43 of the Acts of the General Assembly of Maryland of 1959) to issue its certificates of indebtedness to an amount not exceeding Three Million Dollars (\$3,000,000.00), the proceeds of the same to be used for the purpose of enlarging, extending and proving the sanitary sewerage and storm water drainage systems of Baltimore City, including the construction of additional sewage disposal plants, pumping stations and other appurtenances, the alteration, repair and improvement of existing sewage disposal plants, pumping stations and other appurtenances, and the acquisition by

purchase or condemnation of any and all sanitary and storm water sewers, sewage disposal plants, pumping stations and other appurtenances, as well as of any and all land and property, and of any right, interest, franchise, easement or privilege therein, as may be necessary for any or all of the abovementioned purposes; authorizing the submission of this ordinance to the legal voters of Baltimore City, for their approval or disapproval, at the Municipal Election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Chapter 43 of the Acts of the General Assembly of Maryland of 1959, the Mayor and City Council of Baltimore is authorized to issue its certificates of indebtedness to an amount not exceeding Ten Million Dollars (\$10,000,000.00) in the manner and upon the terms set forth in said Act, the proceeds thereof, not exceeding the par value of said certificates of indebtedness, to be used to defray the costs and expenses of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City as authorized by said Act;

WHEREAS, Ordinance No. 307, approved May 26, 1960, authorized the Mayor and City Council of Baltimore to issue the certificates of indebtedness of said municipality to an amount not exceeding Seven Million Dollars (\$7,000,000.00) and to use the proceeds derived from the sale of said certificates of indebtedness for the purposes hereinbefore mentioned; and

WHEREAS, Additional funds are now needed and necessary for the purposes mentioned in said Act; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Commissioners of Finance be, and they are hereby authorized and directed to issue the certificates of indebtedness of the Mayor and City Council of Baltimore, to an amount not exceeding Three Million Dollars (\$3,000,000.00), from time to time, as the same may be required for the purposes hereinafter named, and said certificates of indebtedness shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds of the sale of said certificates of indebtedness shall be used for the purposes hereinafter named, provided that this ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of the City of Baltimore cast at the time and place hereinafter designated by this ordinance.*

SEC. 2. *And be it further ordained, That said certificates of indebtedness shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in twenty (20) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:*

Each of the Years	Amount in Each of the Years
1966	\$500,000.00
1967	400,000.00
1968 through 1970, both inclusive	200,000.00
1971 through 1985, both inclusive	100,000.00

Said certificates of indebtedness, when issued shall bear interest at such rate or rates, not exceeding, however, five per cent (5%) per annum, as may be determined by the Commissioners of Finance at the time when any of said certificates of indebtedness are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October, in each year, during the

respective periods that the series in which said certificates of indebtedness are issued may run; and any portion or all of said certificates of indebtedness may be registered or not registered, and said certificates of indebtedness, or any portion thereof, shall or shall not have interest coupons attached, all as may be determined by the Commissioners of Finance.

SEC. 3. *And be it further ordained,* That a sum sufficient to meet the interest on any outstanding certificates of indebtedness, as well as the principal of the current maturing series of said certificates, shall be annually collected by taxation and that a rate sufficient to produce said sum shall be levied in each year upon every One Hundred Dollars (\$100.00) worth of assessable property in the City of Baltimore, and in the proper proportion for any greater or less amount.

SEC. 4. *And be it further ordained,* That this ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City on Tuesday, the 7th day of May, 1963.

SEC. 5. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 6. *And be it further ordained,* That the proceeds of sale of the certificates of indebtedness here-

by authorized to be issued, not exceeding the par value thereof, shall be used for the purpose of enlarging, extending and improving the sanitary sewerage and storm water drainage systems of Baltimore City, including the construction of additional sewage disposal plants, pumping stations and other appurtenances, the alteration, repair and improvement of existing sewage disposal plants, pumping stations and other appurtenances, and the acquisition by purchase or condemnation of any and all sanitary and storm water sewers, sewage disposal plants, pumping stations and other appurtenances, as well as of any and all land and property, and of any right, interest, franchise, easement or privilege therein, as may be necessary for any or all of the above-mentioned purposes.

SEC. 7. *And be it further ordained*, That the expenditure of the proceeds of sale of the certificates of indebtedness herein authorized shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1533

(Council No. 2421)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 215 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962—Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceed-

ing Three Hundred Thousand Dollars (\$300,000.-00), the proceeds of the same to be used for the acquisition, by purchase or condemnation or any other legal means, of land or property in the City of Baltimore, and establishing thereon or therein, or on or in land or property now or hereafter owned by the Mayor and City Council of Baltimore, new playgrounds, playfields, recreational centers or recreational buildings, and for the redesign, development and improvement of park, school and other properties now or hereafter owned by the Mayor and City Council of Baltimore for recreational purposes, and for the acquisition and installation of equipment for any new or redesigned, redeveloped or improved playground, playfield, recreational center or building; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963; relating to the payment of the costs and expenses incurred in connection with the issuance of the certificates of indebtedness authorized to be issued under the provisions of this ordinance, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Chapter 215 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding

One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for recreation and park purposes, as authorized by said Act;

WHEREAS, Ordinance No. 1282, approved June 4, 1962, authorized the Mayor and City Council of Baltimore to issue the certificates of indebtedness of said municipality to an amount not exceeding One Million Fifty Thousand Dollars (\$1,050,000.00) and to use the proceeds derived from the sale of said certificates of indebtedness for general park purposes, as authorized by said Act; and

WHEREAS, Funds are now needed for the recreational purposes mentioned in said Act; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Three Hundred Thousand Dollars (\$300,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeem-

able in three (3) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:

Each of the Years	Amount in Each of the Years
1966 through 1968, both inclusive	\$100,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commission-

ers of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the state of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the acquisition, by purchase or condemnation or any other legal means, of land or property in the City of Baltimore, and establishing thereon or therein, or on or in land or property now or hereafter owned by the Mayor and City Council of Baltimore, new playgrounds, playfields,

recreational centers or recreational buildings, and for the redesign, development and improvement of park, school and other properties now or hereafter owned by the Mayor and City Council of Baltimore for recreational purposes, and for the acquisition and installation of equipment for any new or redesigned, redeveloped or improved playground, playfield, recreational center or building.

SEC. 9. *And be it further ordained*, That the costs and expenses incurred in connection with the issuance of the bonds authorized to be issued under the provisions of this Ordinance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, shall be paid out of the premiums, if any, realized from the sale of the bonds authorized to be issued under the provisions of this Ordinance and out of such other funds as may be available for such purpose.

SEC. 10. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1534

(Council No. 2422)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 2 of the Acts of the General Assembly of Maryland of

1963), to issue its certificates of indebtedness to an amount not exceeding Five Million Dollars (\$5,000,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, existing school buildings or facilities, and for equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relating to planning for future projects of the same general character which may be constructed out of future loans; conferring certain powers upon the Board of School Commissioners of Baltimore City and imposing certain conditions in connection with the expenditure of the proceeds derived from the sale of said certificates of indebtedness; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Chapter 2 of the Acts of the General Assembly of Maryland of 1963, the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Thirty-Five Million Dollars (\$35,000,000.00) in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for educational structures and other auxiliary facilities as authorized by said Act; and

WHEREAS, Funds are now needed for said purpose; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Five Million Dollars (\$5,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in ten (10) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:

Each of the Years Amount in Each of the Years
1968 through 1977, both inclusive \$500,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained,* That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form,

terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon (including any profit made in the sale thereof), shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained, That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance*

have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained*, That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained*, That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained*, That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, existing school buildings or facilities, and for equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relating to planning for future projects of the same general character which may be constructed out of future loans.

SEC. 9. *And be it further ordained*, That in the expenditure of the proceeds of sale of said bonds, the Mayor and City Council of Baltimore shall observe the following conditions:

(a) Subject to the provisions of the Charter of Baltimore City relating to the Planning Commission, the Board of School Commissioners of Baltimore City shall have the authority to select sites for the construction of the new school buildings hereby authorized;

(b) All plans and specifications for the construction or reconstruction of school buildings, or for additions or improvements to school buildings, to be financed out of the proceeds derived from the sale of the bonds herein authorized to be issued, shall be subject to the approval of said Board of School Commissioners prior to final acceptance of such plans and specifications, and the endorsement of approval by said Board of such plans and specifications shall be made thereon, and shall also be recorded by said Board in its official minutes;

(c) All changes in approved plans and specifications which may be found necessary and expedient during the course of construction shall also be subject to the approval of the Board of School Commissioners of Baltimore City, and shall also be recorded by said Board in its official minutes; and

(d) No part of the proceeds derived from the sale of the bonds hereby authorized to be issued shall be expended without the approval of the Board of School Commissioners of Baltimore City.

SEC. 10. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1535

(Council No. 2423)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 376 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962—Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding Two Million Dollars (\$2,000,000.00), the proceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the

acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for establishing, constructing, erecting and equipping thereon or on any other land or property now or hereafter owned or controlled by the Mayor and City Council of Baltimore, buildings, structures and facilities to be used by or for a central garage, for or in connection with any and all functions and activities of such central garage, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; such garage generally to be used for or in connection with the parking, storing, repairing and maintaining of self-propelled vehicles and other motorized equipment owned, controlled or operated by the Mayor and City Council of Baltimore or any agency thereof; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Chapter 376 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962), the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Two Million Dollars (\$2,000,000.00), in the manner and upon the terms set forth in said Act, the net

proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for establishing, constructing, erecting and equipping buildings, structures and facilities to be used for certain purposes, including a Central Garage, as authorized by said Act; and

WHEREAS, Funds are now needed for establishing and constructing a Central Garage; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality, be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore, to an amount not exceeding Two Million Dollars (\$2,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.00) or any suitable multiple thereof, to be redeemable in fifteen (15) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:

Each of the Years	Amount in Each of the Years
1965 through 1969, both inclusive	\$200,000.00
1970 through 1979, both inclusive	100,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October, in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds; and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore, to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by

this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained, That* until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate

sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and for

establishing, constructing, erecting and equipping thereon or on any other land or property now or hereafter owned or controlled by the Mayor and City Council of Baltimore, buildings, structures and facilities to be used by or for a Central Garage, for or in connection with any and all functions and activities of such Central Garage, and for doing any and all things necessary, proper or expedient in connection with or pertaining to any or all of the matters or things hereinbefore mentioned; such garage generally to be used for or in connection with the parking, storing, repairing and maintaining of self-propelled vehicles and other motorized equipment owned, controlled or operated by the Mayor and City Council of Baltimore or any agency thereof.

SEC. 9. *And be it further ordained,* That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1536

(Council No. 2424)

An ordinance to authorize the Mayor and City Council of Baltimore (pursuant to Chapter 213 of the Acts of the General Assembly of Maryland of 1961, as amended by Chapter 10 of the Acts of the General Assembly of Maryland of 1962, Special Session of March, 1962), to issue its certificates of indebtedness to an amount not exceeding Ten Million Dollars (\$10,000,000.00), the pro-

ceeds of the same to be used for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith, and the remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, existing school buildings or facilities, and for equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relating to planning for future projects of the same general character which may be constructed out of future loans; conferring certain powers upon the Board of School Commissioners of Baltimore City and imposing certain conditions in connection with the expenditure of the proceeds derived from the sale of said certificates of indebtedness; to confer and impose upon the Commissioners of Finance of Baltimore City certain powers and duties; to authorize the submission of this ordinance to the legal voters of the City of Baltimore, for their approval or disapproval, at the municipal election to be held in Baltimore City on Tuesday, the 7th day of May, 1963, and providing for the expenditure of the proceeds of sale of said certificates of indebtedness in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the annual Ordinance of Estimates of the Mayor and City Council of Baltimore.

WHEREAS, By Chapter 213 of the Acts of the General Assembly of Maryland of 1961, as amended by

Chapter 10 of the Acts of the General Assembly of Maryland of 1962 (Special Session of March, 1962) the Mayor and City Council of Baltimore is authorized to create a debt, and to issue and sell its certificates of indebtedness (hereinafter called "bonds") as evidence thereof, to an amount not exceeding Twenty-five Million Dollars (\$25,000,000.00), in the manner and upon the terms set forth in said Act, the net proceeds derived from the sale of said bonds, not exceeding the par value of said bonds, to be used for educational structures and other auxiliary facilities as authorized by said Act; and

WHEREAS, Ordinance No. 1280, approved June 4, 1962, authorized the Mayor and City Council of Baltimore to issue the certificates of indebtedness of said municipality to an amount not exceeding Fifteen Million Dollars (\$15,000,000.00) and to use the proceeds derived from the sale of said certificates of indebtedness for the purposes hereinbefore mentioned; and

WHEREAS, Additional funds are now needed and necessary for the purposes mentioned in said Act; therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance of said municipality be and it is hereby authorized and empowered to issue bonds of the Mayor and City Council of Baltimore to an amount not exceeding Ten Million Dollars (\$10,000,000.00), from time to time, as the same may be needed or required for the purposes hereinafter named and said bonds shall be sold by said Commissioners of Finance from time to time and at such times as shall be requisite, and the proceeds derived from the sale of said bonds shall be used for the purposes hereinafter named, provided that this Ordinance shall not become effective unless it shall be approved by a majority of the votes of the legal voters of Baltimore City cast at the time and place hereinafter designated by this Ordinance.

SEC. 2. *And be it further ordained*, That said bonds shall be issued in denominations of not less than One Thousand Dollars (\$1,000.00) each, but may be in sums of One Thousand Dollars (\$1,000.-00) or any suitable multiple thereof, to be redeemable in twenty (20) yearly series on the fifteenth day of October in each of the years and in the amounts as set forth in the following schedule:

Each of the Years	Amount in Each of the Years
1967 through 1986, both inclusive	\$500,000.00

Said bonds, when issued, shall bear interest at such rate or rates, not exceeding, however, five per centum (5%) per annum, as may be determined by a majority of the Commissioners of Finance by resolution at such time or times when any of said bonds are issued, the interest to be payable semi-annually on the fifteenth day of April and the fifteenth day of October in each year after issuance, during the respective periods that the series in which said bonds are issued may run.

SEC. 3. *And be it further ordained*, That a majority of the Commissioners of Finance of the Mayor and City Council of Baltimore be, and they are hereby, authorized to pass a resolution or resolutions, from time to time, to determine and set forth any or all of the following:

(a) The form or forms of the bonds representing the debt, or any part thereof, authorized to be issued under the provisions of this Ordinance at any particular time, including any interest coupons to be attached thereto; the provisions, if any, for the issuance of coupon bonds; the provisions, if any, for the issuance of fully registered bonds; the provisions, if any, for the registration as to principal of any coupon bonds; and the provisions, if any, for the conversion and reconversion into coupon bonds of any fully registered bonds or coupon bonds registered as to principal; the place or places for the payment of principal and interest of said bonds;

and the date of said bonds issued at any particular time, and the right of redemption of said bonds by the City prior to maturity; and

(b) The time, place, manner and medium of advertisement of the readiness of the Commissioners of Finance, acting for and on behalf of the Mayor and City Council of Baltimore to receive bids for the purchase of the bonds authorized to be issued hereunder or any part thereof; the form, terms and conditions of such bids; the time, place and manner of awarding bonds so bid for, including the right whenever any of the bonds authorized by this Ordinance are offered for sale and sold at the same time as other bonds of said corporation, to establish the conditions for bids and awards and to award all of said bonds on an all or none basis; and the time, place, terms and manner of settlement for the bonds so bid for.

SEC. 4. *And be it further ordained, That:*

(a) All premiums resulting from the sale of any of the bonds issued and sold pursuant to the provisions of this Ordinance shall be applied first to defray the cost of issuance thereof and the balance, if any, shall be applied to the payment of interest on any of said bonds becoming due and payable during the fiscal year in which said bonds are issued and sold or during the next succeeding fiscal year.

(b) The debt authorized by the provisions of this Ordinance, and the bonds issued and sold pursuant thereto and the principal and interest payable thereon, shall be and remain exempt from any and all State, county and municipal taxation in the State of Maryland.

(c) All bonds issued and sold pursuant to the provisions of this Ordinance shall be sold at public sale to the highest responsible bidder or bidders therefor after due notice of such sale, but the Mayor and City Council of Baltimore, acting by and through the Commissioners of Finance thereof, shall have the right to reject any or all bids therefor for any

reason, and thereafter reoffer such bonds at public sale as aforesaid or at private sale, provided that if such bonds be offered at private sale they shall be offered for sale and sold for not less than par and accrued interest.

SEC. 5. *And be it further ordained,* That until all of the interest on and principal of any bonds issued pursuant to the provisions of this Ordinance have been paid in full, the Mayor and City Council of Baltimore shall levy and impose an annual tax on each One Hundred Dollars (\$100.00) of assessable property in the City of Baltimore at a rate sufficient to produce revenue to pay all interest on and principal of all bonds theretofore issued and outstanding or authorized to be issued and outstanding, payable in the next succeeding year.

SEC. 6. *And be it further ordained,* That this Ordinance shall be submitted to the legal voters of the City of Baltimore, for their approval or disapproval, at the Municipal Election to be held in Baltimore City, on Tuesday, the 7th day of May, 1963.

SEC. 7. *And be it further ordained,* That prior to the date of the election hereinbefore mentioned, notice shall be given to the public of the amount of money which the Mayor and City Council of Baltimore is authorized to borrow, and the general purposes for which such borrowed funds may be expended, under the terms and provisions of this Ordinance, and the time when the election hereinbefore mentioned is to be held; and such public notice shall be given in such manner and by such means or through such media and at such time or times as may be determined, from time to time, by a majority of the Commissioners of Finance.

SEC. 8. *And be it further ordained,* That the actual cash proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance, not exceeding the par value

thereof, shall be used exclusively for the following purposes, to wit:

(a) So much thereof as may be necessary, in addition to the premiums realized from the sale, if any, for the cost of issuance, including the expense of engraving, printing, advertising, attorneys' fees, and all other incidental expenses connected therewith; and

(b) The remainder of such proceeds shall be used for the acquisition, by purchase, condemnation or any other legal means, of land or property, or any rights therein, in the City of Baltimore, and constructing and erecting on said land or property, or on any land or property now or hereafter owned by the Mayor and City Council of Baltimore, new school buildings, athletic and other auxiliary facilities, and for additions and improvements to, or the modernization or reconstruction of, existing school buildings or facilities, and for equipment for any and all new facilities authorized to be constructed or erected by the provisions hereof, and for architectural or engineering services or surveys, and any other activities relating to planning for the purposes above mentioned or relating to planning for future projects of the same general character which may be constructed out of future loans.

SEC. 9. *And be it further ordained,* That in the expenditure of the proceeds of sale of said bonds, the Mayor and City Council of Baltimore shall observe the following conditions:

(a) Subject to the provisions of the Charter of Baltimore City relating to the Planning Commission, the Board of School Commissioners of Baltimore City shall have the authority to select sites for the construction of the new school buildings hereby authorized;

(b) All plans and specifications for the construction or reconstruction of school buildings, or for additions or improvements to school buildings, to be financed out of the proceeds derived from the sale

of the bonds herein authorized to be issued, shall be subject to the approval of said Board of School Commissioners prior to final acceptance of such plans and specifications, and the endorsement of approval by said Board of such plans and specifications shall be made thereon, and shall also be recorded by said Board in its official minutes;

(c) All changes in approved plans and specifications which may be found necessary and expedient during the course of construction shall also be subject to the approval of the Board of School Commissioners of Baltimore City, and shall also be recorded by said Board in its official minutes; and

(d) No part of the proceeds derived from the sale of the bonds hereby authorized to be issued shall be expended without the approval of the Board of School Commissioners of Baltimore City.

SEC. 10. *And be it further ordained*, That the expenditure of the proceeds derived from the sale of the bonds authorized to be issued under the provisions of this Ordinance shall be in accordance with the provisions of the Charter of the Mayor and City Council of Baltimore, and by the municipal agency designated in the Annual Ordinances of Estimates of the Mayor and City Council of Baltimore.

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1537

(Council No. 1805)

An ordinance to amend Sheets Nos. 40 and 50 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential D-40 Use District to the First Commercial D-40 Use District the area lying northwesterly from Pulaski Highway, northeasterly from Moravia Road, and

southeasterly from the Northeast Expressway, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet Nos. 40 and 50 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential D-40 Use District to the First Commercial D-40 Use District, the area lying northwesterly from Pulaski Highway, northeasterly from Moravia Road, and southeasterly from the Northeast Expressway, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1538

(Council No. 2086)

An ordinance to repeal Section 141 (65) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," repealing an ordinance which regulates the standing of vehicles on the west side of Woodbrook Avenue between Whitelock Street and Traction Street; and also repealing Ordinance 1264 approved June 19, 1962, which ordinance purported to repeal the said provisions concerning the west side of Woodbrook Avenue.

WHEREAS, Ordinance 1264 approved June 19, 1962 was ordained in order to repeal Section 141 (65) of Article 38 of the Baltimore City Code, which section regulated the standing of vehicles on the west side of Woodbrook Avenue between Whitelock Street and Traction Street; and

WHEREAS, Ordinance 1264 inadvertently referred to Article 5 of the Baltimore City Code, rather than to Article 38; and

WHEREAS, In order to eliminate all doubts about the repeal of this section of the Code, it is desirable again to repeal it and also to repeal said Ordinance 1264; now, therefore,

SECTION 1. *Be it ordained by the Mayor and City Council,* That Section 141 (65) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed.

SEC. 2. *And be it further ordained,* That Ordinance 1264 approved June 19, 1962 be and it is hereby repealed.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1539

(Council No. 2108)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore, of the fee simple interest or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of Hamilton Avenue, varying in width from 60 feet to 77.37 feet from Belair Road to the Eastern Boundary of Baltimore City established 1918, and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Hamilton Avenue; and authorizing the making of all necessary agreements concerning said Hamilton Avenue; and authorizing the construction of said project; the location and course of said Hamilton Avenue being shown on a plat thereof numbered 156-A-29A, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Seventeenth (17th) day of September, 1962.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That it is necessary to acquire by purchase or condemnation for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of Hamilton Avenue, varying in width from 60 feet to 77.37 feet, from Belair Road to the Eastern Boundary of Baltimore City established 1918, the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for the same at the point formed by

the intersection of the southeast side of Belair Road, 80 feet wide, and the northeast side of Hamilton Avenue, as now laid out, said point of beginning being distant 230.69 feet southwesterly from the point formed by the intersection of the southeast side of said Belair Road and the southwest side of Bayonne Avenue and running thence binding on the northeast side of said Hamilton Avenue South $36^{\circ}-37'-56''$ East 145.42 feet; thence South $18^{\circ}-52'-00''$ East 91.24 feet; thence by a line curving to the left with a 609.64 foot radius the distance of 467.76 feet, which arc is subtended by a chord bearing South $40^{\circ}-50'-50''$ East 456.37 feet; thence by a line curving to the right with a 747.71 foot radius the distance of 312.73 feet, which arc is subtended by a chord bearing South $50^{\circ}-50'-45''$ East 310.45 feet; thence South $38^{\circ}-51'-50''$ East 120.0 feet; thence by a line curving to the left with a 264.25 foot radius the distance of 129.98 feet, which arc is subtended by a chord bearing South $52^{\circ}-57'-20''$ East 128.68 feet; thence South $67^{\circ}-02'-50''$ East 172.47 feet; thence by a line curving to the right with a 292.04 foot radius the distance of 264.88 feet, which arc is subtended by a chord bearing South $41^{\circ}-03'-50''$ East 255.89 feet; thence South $15^{\circ}-04'-50''$ East 336.65 feet; thence by a line curving to the left with a 267.77 foot radius the distance of 144.58 feet, which arc is subtended by a chord bearing South $30^{\circ}-32'-55''$ East 142.83 feet; thence South $46^{\circ}-01'-00''$ East 437.84 feet; thence by a line curving to the left with a 266.25 foot radius the distance of 172.01 feet, which arc is subtended by a chord bearing South $64^{\circ}-31'-30''$ East 169.04 feet; thence South $83^{\circ}-02'-00''$ East 263.17 feet; thence by a line curving to the left with a 545.60 foot radius the distance of 151.06 feet, which arc is subtended by a chord bearing North $89^{\circ}-02'-05''$ East 150.58 feet; thence North $81^{\circ}-06'-10''$ East 467.75 feet; thence North $79^{\circ}-50'-00''$ East 489.69 feet; thence by a line curving to the right with a 653.27 foot radius the distance of 165.17 feet, which arc is subtended by a chord bearing North $87^{\circ}-04'-35''$ East 164.73 feet; thence South $85^{\circ}-40'-50''$ East 264.70 feet; thence

by a line curving to the right with a 473.95 foot radius the distance of 235.98 feet; which arc is subtended by a chord bearing South $71^{\circ}-25'-00''$ East 235.55 feet; thence South $66^{\circ}-41'-30''$ East 29.44 feet to intersect the southeast side of Valiquet Avenue, 50 feet wide; thence South $59^{\circ}-26'-50''$ East 312.39 feet to intersect the southeast side of Ritter Avenue, 50 feet wide; thence binding on the southeast side of said Ritter Avenue South $14^{\circ}-21'-40''$ West 18.32 feet; thence South $57^{\circ}-09'-10''$ East 101.06 feet; thence by a line curving to the right with a 559.67 foot radius the distance of 271.42 feet, which arc is subtended by a chord bearing South $43^{\circ}-15'-35''$ East 268.77 feet; thence South $29^{\circ}-22'-00''$ East 127.37 feet to intersect the Eastern Boundary of Baltimore City established 1918 at a point distant 89.03 feet northerly from Boundary Stone No. 8595; thence binding on said Eastern Boundary due South 122.35 feet to intersect a line drawn parallel with and distant 60 feet southwesterly measured at right angles from the twenty-fifth line of this description; thence reversing said line so drawn and binding thereon and along lines drawn parallel with and distant 60 feet southwesterly measured at right angles from the twenty-fourth and twenty-third lines, respectively of this description, and along lines drawn parallel with and distant 60 feet southerly measured at right angles from the nineteenth, eighteenth, seventeenth, sixteenth, fifteenth, fourteenth and thirteenth lines, respectively, of this description and along lines drawn parallel with and distant 60 feet southwest-erly measured at right angles from the twelfth, eleventh, tenth and ninth lines, respectively of this description, the fourteen following courses and distances, namely, North $29^{\circ}-22'-00''$ West 234.00 feet, by a line curving to the left, with a 499.67 foot radius the distance of 242.32 feet, which arc is subtended by a chord bearing North $43^{\circ}-15'-35''$ West 239.95 feet, North $57^{\circ}-09'-10''$ West 448.06 feet, by a line curving to the left with a 413.95 foot radius the distance of 206.11 feet, which arc is subtended by a chord bearing North $71^{\circ}-25'-00''$ West 203.98 feet, North $85^{\circ}-40'-50''$ West 264.70 feet, by a line

curving to the left with a 593.27 foot radius the distance of 149.99 feet, which arc is subtended by a chord bearing South $87^{\circ}-04'-35''$ West 149.60 feet, South $79^{\circ}-50'-00''$ West 490.35 feet, South $81^{\circ}-06'-10''$ West 468.41 feet, by a line curving to the right with a 605.60 foot radius the distance of 167.68 feet, which arc is subtended by a chord bearing South $89^{\circ}-02'-05''$ West 167.14 feet, North $83^{\circ}-02'-00''$ West 263.17 feet, by a line curving to the right with a 326.25 foot radius the distance of 210.78 feet, which arc is subtended by a chord bearing North $64^{\circ}-31'-30''$ West 207.13 feet, North $46^{\circ}-01'-00''$ West 437.84 feet, by a line curving to the right with a 327.77 foot radius the distance of 176.98 feet, which arc is subtended by a chord bearing North $30^{\circ}-32'-55''$ West 174.83 feet and North $15^{\circ}-04'-50''$ West 336.65 feet, thence by a line curving to the left, with a 232.04 foot radius the distance of 25.30 feet, which arc is subtended by a chord bearing North $18^{\circ}-12'-15''$ West 25.29 feet; thence North $21^{\circ}-19'-39''$ West 34.0 feet; thence by a line curving to the left, with a 129.31 foot radius the distance of 82.66 feet which arc is subtended by a chord bearing North $39^{\circ}-38'-22''$ West 81.26 feet; thence North $57^{\circ}-57'-05''$ West 34.00 feet; thence by a line curving to the left, with a 232.04 foot radius the distance of 36.84 feet, which arc is subtended by a chord bearing North $62^{\circ}-29'-58''$ West 36.80 feet to intersect a line drawn parallel with and distant 60 feet southwesterly, measured at right angles from the seventh line of this description; thence reversing said line so drawn and binding thereon and along lines drawn parallel with and distant 60 feet southwesterly measured at right angles from the sixth, fifth, fourth, third and second lines of this description the six following courses and distances, namely, North $67^{\circ}-02'-50''$ West 172.47 feet, by a line curving to the right with a 324.25 foot radius the distance of 159.50 feet, which arc is subtended by a chord bearing North $52^{\circ}-57'-20''$ West 157.89 feet, North $38^{\circ}-51'-50''$ West 120.0 feet, by a line curving to the left with a 687.71 foot radius the distance of 287.63 feet, which arc is subtended by a chord bear-

ing North $50^{\circ}-50'-45''$ West 285.54 feet, by a line curving to the right with a 669.64 foot radius the distance of 513.79 feet, which arc is subtended by a chord bearing North $40^{\circ}-50'-50''$ West 501.28 feet and North $18^{\circ}-52'-00''$ West 39.98 feet; thence by a line curving to the left, with a 237.20 foot radius, the distance of 104.29 feet, which arc is subtended by a chord bearing North $31^{\circ}-27'-42.5''$ West 103.45 feet to intersect the fifth line of the parcel of land conveyed by Max Martin and wife to the Mayor and City Council of Baltimore, for the widening of Hamilton Avenue, by deed dated December 24, 1930, and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 5186, folio 526; thence binding on part of the fifth line of said deed North $44^{\circ}-03'-25''$ West 67.00 feet to intersect the southeast side of said Belair Road and thence binding on the southeast side of said Belair Road, the two following courses and distances, namely, North $45^{\circ}-56'-35''$ East 33.70 feet and North $48^{\circ}-08'-53''$ East 38.67 feet to the place of beginning.

The courses in the above description are all referred to the True meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Hamilton Avenue, the location and course of said Hamilton Avenue being shown on a plat thereof numbered 156-A-29A, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Seventeenth (17th) day of September, 1962.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained,* That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purpose described in this Ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Hamilton Avenue. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other interests, rights, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said Hamilton Avenue Project.

SEC. 3. *And be it further ordained,* That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained,* That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal

and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said Hamilton Avenue Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said Hamilton Avenue Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1540

(Council No. 2119)

An ordinance to authorize the establishment of a nursing home on certain premises on the easterly side of North Dukeland Street, northerly from Presstman Street, as more particularly described herein, this authority being granted pursuant to the provisions of Section 1 of Article 13 of the Baltimore City Code (1950 Edition).

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That pursuant to the provisions of Section 1 of Article 13 of the Baltimore City

Code (1950 Edition), the assent of the Mayor and City Council of Baltimore is given to the establishment of a nursing home upon certain premises on the easterly side of North Dukeland Street, northerly from Presstman Street, and more particularly described as being Lot Nos. 1-3 on City Tax Block Plat of Ward 16, Section 22, Block 2332-A. Except as in this ordinance specifically provided otherwise, all ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the maintenance and operation of said nursing home.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1541

(Council No. 2133)

An ordinance to amend Sheets No. 84 and 85 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Industrial Use District to the Residential Use District, the property on the southwest side of English Consul Avenue, 100 feet southeast of Magnolia Avenue, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheets No. 84 and 85 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing

from the Industrial Use District to the Residential Use District, the property on the southwest side of English Consul Avenue, 100 feet southeast of Magnolia Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1542

(Council No. 2136)

An ordinance to amend Sheet No. 51 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the Residential and Office Use District, the property on the northwest side of Edmondson Avenue, northeast from Aldershot Road, as out-

lined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 51 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the Residential and Office Use District, the property on the northwest side of Edmondson Avenue, northeast from Aldershot Road, as outlined in red on the four plates accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1543

(Council No. 2166)

An ordinance to amend Sheet No. 47 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the First Commercial Use District to the Second Commercial Use District the property lying easterly and westerly from Rutland Avenue, north of Biddle Street, as outlined in red; and by changing from the Residential Use District to the Second Commercial Use District, the property on the north side of Biddle Street, west from Rutland Avenue, as outlined in blue on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 47 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the First Commercial Use District to the Second Commercial Use District the property lying easterly and westerly from Rutland Avenue, north of Biddle Street, as outlined in red; and by changing from the Residential Use District to the Second Commercial Use District, the property on the north side of Biddle Street, west from Rutland Avenue, as outlined in blue on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and

the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1544

(Council No. 2231)

An ordinance to comply with the provisions of Section 1 of Article 13 of the Baltimore City Code (1950 Edition), in order to give the assent of the Mayor and City Council of Baltimore to the establishment of a convalescent and nursing home on the premises known generally as 100 North Paca Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That in compliance with the requirements of Section 1 of Article 13 of the Baltimore City Code (1950 Edition) the assent of the Mayor and City Council of Baltimore is given to the establishment of a convalescent and nursing home on the premises known generally as 100 North Paca Street. All ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the establishment and operation of this convalescent and nursing home.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1545

(Council No. 2234)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to property situate in Baltimore City, known as 1409-11-13 N. Dallas Street. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to properties situate in Baltimore City, State of Maryland, and described as follows:

1409-11-13 N. Dallas Street

Being and comprising Lots 58, 59 and 60 in Block 1137 on the City Block Plats.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1546

(Council No. 2333)

An ordinance to repeal and reordain with amendments Section 13 (F) (3) of Article 40 of the Balti-

more City Code (1950 Edition), title "Zoning," as said section was last amended by Ordinance 1162, approved April 4, 1962, adding retail flower shops to the list of those which may be changed by the Board of Municipal and Zoning Appeals from one non-conforming use to another non-conforming use, and relating generally to non-conforming uses and the change thereof under the Zoning Ordinance of Baltimore City.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 13(F)(3) of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said section was last amended by Ordinance 1162, approved April 4, 1962, be and it is hereby repealed and reordained with amendments to read as follows:

13.

(F) (3) A Class III non-conforming use may be changed to any conforming use.

A Class III non-conforming use shall not be changed to any other non-conforming use, except that, if approved by the Board in accordance with authority and procedures established in Subsection I of this section, a Class III non-conforming use of the Restricted First Commercial or lower classification may be changed to any one of the following retail or personal-service uses, each such use including uses accessory thereto:

(1) Bakery or bakery outlet, where all products are sold at retail on the premises

(2) Barber shop

(3) Beauty shop

(4) Confectionery store or ice cream or snack bar

(5) Delicatessen

(6) Drug Store

(6a) *Flower Shop, Retail*

(7) Food store, general or specialty, with no animal or fowl killing or live storing on the premises

(8) Gift shop

(9) Hardware store

(10) Laundry, launderette, laundry and dry-cleaning collection and distribution station, or dry-cleaning and pressing establishment using only non-flammable solvents; however, the gross floor area devoted to any use permitted by the Board pursuant to this Item (10) shall not exceed 1500 square feet even though the gross floor area devoted to the previous use exceeds this amount.

(11) Notions store

(12) Office, provided that no such office shall exceed the restrictions imposed upon offices in Residential and Office Use Districts (this provision shall not, however, be construed so as to lessen any restriction imposed by this Section 13)

(13) Shoe or hat repair shop

(14) Tailor or dressmaking shop, for custom work or repairs

However, no non-conforming check-cashing, money-changing or similar type of agency may be changed to any other non-conforming use, but shall be terminated completely in accordance with the provisions of Paragraph 7 of this Subsection F.

When an existing Class III non-conforming use has been changed to one of the above-listed uses, it shall not thereafter be changed to any non-conforming use not listed above. When an existing Class III non-conforming use has been changed to a conforming use, it shall not thereafter be changed back to a non-conforming use.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1547

(Council No. 2339)

An ordinance to add Section 98(11a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 98(11) thereof, making Eierman Avenue, from Cottman Avenue to Belair Road, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 98(11a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 98(11) thereof, and to read as follows:

98.

(11a) Eierman Avenue, from Cottman Avenue to Belair Road, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1548

(Council No. 2358)

An ordinance to repeal and re-enact with amendments Section 134 (36a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1035, approved May 12, 1954, revising the provisions concerning the parking of vehicles on Pimlico Road between Cold Spring Lane and Oakford Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 134 (36a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1035, approved May 12, 1954, be and it is hereby repealed and reordained with amendments to read as follows:

134.

(36a) No vehicle shall be permitted to park, at any time, on either side of Pimlico Road, between Cold Spring Lane and Oakford Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1549

(Council No. 2359)

An ordinance to repeal Sections 125 (34) and 125 (34½) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by

Ordinance 1800, approved January 29, 1959; to repeal Sections 125(35) and 125(37) of said Article and subtitle as ordained by Ordinance 1239, approved February 7, 1958; and to ordain in lieu thereof new Sections 125(34), 125(34½), 125(35), 125(35¼), 125(35½), 125(35¾), and 125(35⅞), to stand in the place of the sections so repealed, revising the provisions concerning the parking and stopping of vehicles on certain portions of Greenmount Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Sections 125(34) and 125(34½) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 1800, approved January 29, 1959, be and they are hereby repealed; and that Sections 125(35) and 125(37) of said Article and subtitle as ordained by Ordinance 1239, approved February 7, 1958, be and they are hereby repealed; and that new Sections 125(34), 125(34½), 125(35), 125(35¼), 125(35½), 125(35¾), and 125(35⅞), be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed and all to read as follows:

125.

(34) No vehicle is permitted to be stopped between the hours of 7 A.M. and 10 A.M. and between the hours of 4 P.M. and 6 P.M. on any day on the east side of Greenmount Avenue, between Biddle Street and Oliver Street.

(34½) No vehicle is permitted to be stopped between the hours of 4 P.M. and 6 P.M. on any day on the east side of Greenmount Avenue between Oliver Street and Lafayette Avenue.

(35) No vehicle is permitted to be parked at any time on the east side of Greenmount Avenue between Lafayette Avenue and North Avenue; and between the hours of 7 A.M. and 10 A.M. and the hours of

4 P.M. and 6 P.M. on any day, no vehicle is permitted to be stopped on this portion of the east side of Greenmount Avenue.

(35 $\frac{1}{4}$) No vehicle is permitted to be stopped between the hours of 7 A.M. and 10 A.M. on any day on the west side of Greenmount Avenue between North Avenue and Lanvale Street.

(35 $\frac{1}{2}$) No vehicle is permitted to be parked at any time on the west side of Greenmount Avenue between Oliver Street and the intersection of the north building line of the building occupied by the Department of Public Welfare.

(35 $\frac{3}{4}$) No vehicle is permitted to be stopped between the hours of 7 A.M. and 10 A.M. and between the hours of 4 P.M. and 6 P.M. on any day on the west side of Greenmount Avenue between Oliver Street and Hoffman Street.

(35 $\frac{7}{8}$) No vehicle is permitted to be parked at any time on the west side of Greenmount Avenue between Hoffman Street and Preston Street; and between the hours of 7 A.M. and 10 A.M. and the hours of 4 P.M. and 6 P.M. on any day, no vehicle is permitted to be stopped on this portion of the west side of Greenmount Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1550

(Council No. 2360)

An ordinance to repeal Section 121 (53a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," and to ordain a new Section 121 (53a) in lieu

thereof, to stand in the place of the section so repealed, revising the provisions concerning the parking and stopping of vehicles on the west side of the west or southbound drive of Charles Street, between University Parkway and Twenty-ninth Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 121(53a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed; and that a new Section 121(53a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

121.

(53a) No vehicle is permitted to be stopped at any time on the west side of the west or southbound drive of Charles Street, between University Parkway and Twenty-ninth Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1551

(Council No. 2361)

An ordinance to repeal Sections 136(17) and 136(17a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 1266, approved June 19, 1962; and to ordain new Sections 136(17) and 136(17a) in lieu thereof, to stand in the place of the sections so repealed, revising the provisions concerning the

stopping of vehicles on certain portions of Reisterstown Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 136 (17) and 136(17a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 1266, approved June 19, 1962 be and they are hereby repealed; and that new Sections 136(17) and 136 (17a) be and they are hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

136.

(17) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9:30 A.M. on any day on the west side of Reisterstown Road between Seven Mile Lane and the first alley southerly from Crestheights Avenue.

(17a) No vehicle is permitted to be stopped at any time on the west side of Reisterstown Road, between the intersection of the first alley southerly from Crestheights Avenue and the intersection of Patterson Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1552

(Council No. 2362)

An ordinance to repeal Section 136(17c) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as

said section was ordained by Ordinance 1266, approved June 19, 1962; and to ordain a new Section 136 (17c) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the parking of vehicles on the easterly side of Reisterstown Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 136 (17c) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1266, approved June 19, 1962, be and it is hereby repealed; and that Section 136 (17c) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

136.

(17c) No vehicle is permitted to be parked at any time on the easterly side of Reisterstown Road between Patterson Avenue and Clark's Lane.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1553

(Council No. 2363)

An ordinance to repeal Section 131 (56a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance No. 1174, approved April 23, 1962, repealing the ordinance relating to the parking of vehicles on the west side of Monroe Street, between Gwynns Falls Parkway and North Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 131(56a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance No. 1174, approved April 23, 1962, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1554

(Council No. 2364)

An ordinance to repeal Section 119(7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 852, approved May 6, 1957; and to add a new Section 119(14a) to said Article and subtitle, to follow immediately after Section 119(14) thereof, revising the provisions concerning the parking of vehicles on a portion of Albemarle Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 119(7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 852, approved May 6, 1957, be and it is hereby repealed; and that a new Section 119 (14a) be and it is hereby added to said Article and subtitle, to follow immediately after Section 119(14) thereof, and to read as follows:

119.

(14a) No vehicle is permitted to be parked at any time on the west side of the southbound drive

of Albemarle Street, between Plowman Street and Lombard Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1555

(Council No. 2365)

An ordinance to add a new Section 128(2a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 128(2) thereof, regulating the stopping of vehicles on the Jones Falls Expressway and on all ramps, approaches, and exits leading to and from it, from the intersection of Biddle Street to the Northern City Boundary.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 128(2a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 128(2) thereof, and to read as follows:

128.

(2a) No vehicle is permitted to be stopped at any time on moving traffic lanes of the Jones Falls Expressway and on all ramps, approaches and exits leading to and from it, from the intersection of Biddle Street to the Northern City Boundary; except that on the non-moving edges or shoulders thereof, the stopping of vehicles is permitted for emergency purposes.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1556

(Council No. 2366)

An ordinance to repeal Section 100 (22) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," repealing the ordinance making Guilford Avenue a one-way street between 22nd Street and 20th Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 100 (22) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1557

(Council No. 2367)

An ordinance to repeal Section 119 (38) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1543, approved June 25, 1958, and to ordain in lieu

thereof new Sections 119(38), 119(38a), 119(38b), 119(38c), and 119(38d), to stand in the place of the section so repealed, revising the provisions concerning the stopping and parking of vehicles on certain portions of Annapolis Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 119(38) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1543, approved June 25, 1958, be and it is hereby repealed; and that new Sections 119(38), 119(38a), 119(38b), 119(38c), and 119(38d) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and all to read as follows:

119.

(38) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. and between the hours of 3 P.M. and 7 P.M. on any day on the easterly side of Annapolis Road between Indiana Avenue and Wenburn Street.

(38a) No vehicle is permitted to be stopped between the hours of 7 A.M. and 9 A.M. and between the hours of 3 P.M. and 7 P.M. on any day on the easterly side of Annapolis Road between Wenburn Street and Clare Street; and between the hours of 9 A.M. and 3 P.M. on any day, no vehicle is permitted to be parked on this portion of the easterly side of Annapolis Road.

(38b) No vehicle is permitted to be stopped at any time on the easterly side of Annapolis Road between Clare Street and Russell Street.

(38c) No vehicle is permitted to be stopped at any time on the westerly side of Annapolis Road between Russell Street and a point approximately 300 feet north of the intersection of Clare Street.

(38d) No vehicle is permitted to be stopped be-

tween the hours of 4 P.M. and 6 P.M. on any day on the westerly side of Annapolis Road between Manokin Street and Indiana Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1558

(Council No. 2390)

An ordinance to waive any applicable and conflicting provisions of Article 5 of the Baltimore City Code (1950 Edition as amended), said Article being known generally as the Building Code of Baltimore City, in order to permit a certain extension over the building line in the alley along the premises known generally as 101-103-105 Light Street, and on Lombard Street adjoining.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That all applicable and conflicting provisions of Article 5 of the Baltimore City Code (1950 Edition, as amended) said Article being known generally as the Building Code of Baltimore City, are waived in order to permit a certain extension over the building line, projecting on the front of the premises known generally as 101-103-105 Light Street, and on the side of these premises on Lombard Street. This projection over the building line is a facing around the front and side of the building which, at the maximum, will project 1 foot 2 inches over the building line. Except as in this ordinance otherwise provided, all other ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of this project.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1559

(Council No. 2391)

An ordinance to comply with the provisions of Paragraph 1400 of Article 5 of the Baltimore City Code (1950 edition, as amended), title "Building Regulations," said Article being known generally as the Building Code of Baltimore City, and to grant permission for the construction, erection or conversion of a structure on the premises known generally as 1 East University Parkway, for the storage of more than three motor vehicles.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the provisions of Paragraph 1400 of Article 5 of the Baltimore City Code (1950 Edition, as amended), title "Building Regulations," said article being known generally as the Building Code of Baltimore City, are complied with, and permission is granted for the construction, erection, or conversion of a structure on the premises known generally as 1 East University Parkway, for the storage of more than three motor vehicles. Except as specifically in this ordinance provided, all other laws, ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction, erection, conversion and use of the said structure.*

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1560

(Council No. 2431)

An ordinance to add a new Section 45S(2a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Impounding," to follow immediately after Section 45S(2) thereof, and to be in the subtitle "Impounding," as said section and subtitle were ordained by Ordinance No. 1306, approved March 29, 1958, adding a portion of South Street to the so-called Impounding Ordinance, and thereby providing for the impounding of vehicles parked illegally thereon.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 45S(2a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Impounding," to follow immediately after Section 45S(2) thereof, and to be in the subtitle "Impounding," as said section and subtitle were ordained by Ordinance No. 1306, approved March 29, 1958, and to read as follows:

45S.

(2a) South Street, both sides, between Baltimore Street and Pratt Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1561

(Council No. 2432)

An ordinance to add Section 94(24a) to Article 38 of the Baltimore City Code (1950 Edition), title

"Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 94(24) thereof, making Annapolis Road, from the bridge north of Clare Street to Russell Street (Wenburn Street) a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 94(24a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-way Streets," said new section to follow immediately after Section 94(24) thereof, and to read as follows:

94.

(24a) Annapolis Road, from the bridge north of Clare Street to Russell Street (Wenburn Street) is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a north-erly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1562

(Council No. 2433)

An ordinance to add Section 96(55a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96(55) thereof, making Cloville Avenue, from McClean Boulevard to Tramore Road a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 96(55a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96(55) thereof, and to read as follows:

96.

(55a) Cloville Avenue, from McClean Boulevard to Tramore Road, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1563

(Council No. 2434)

An ordinance to add new Section 133(20a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 133(20) thereof, prohibiting the parking of vehicles on the south side of Ostend Street, between Wicomico Street and Hamburg Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 133(20a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 133(20) thereof, and to read as follows:

133.

(20a) No person is permitted to park a vehicle at any time on the south side of Ostend Street between Wicomico Street and Hamburg Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1564

(Council No. 2435)

An ordinance to add a new Section 124(40a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 124(40) thereof, prohibiting the stopping of vehicles on the east side of Fourth Avenue, from Cannery Avenue to Northbridge Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new section 124 (40a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 124(40) thereof, and to read as follows:

124.

(40a) It is unlawful for any person to stop a vehicle at any time on the east side of Fourth Avenue between Cannery Avenue and Northbridge Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1565

(Council No. 2436)

An ordinance to add a new Section 130 (40a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130(40) thereof, regulating the parking of vehicles on the west side of Light Street, between Pratt Street and Perry Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 130(40a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130(40) thereof, and to read as follows:

130.

(40a) No vehicle is permitted to be parked between the hours of 2 A. M. and 4 P. M. on any day on the west side of Light Street, between Pratt Street and Perry Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1566

(Council No. 2437)

An ordinance to add new Sections 141(64a) and 141(64b) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after

Section 141(64) thereof, prohibiting the parking of vehicles on certain portions of Woodbourne Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Sections 141(64a) and 141(64b) be and they are hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 141(64) thereof, and to read as follows:

141.

(64a) No vehicle is permitted to be parked at any time on the north side of Woodbourne Avenue between York Road and a point 176 feet easterly therefrom.

(64b) No vehicle is permitted to be parked at any time on the south side of Woodbourne Avenue between York Road and a point 170 feet easterly therefrom.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1567

(Council No. 2438)

An ordinance to add a new Section 124(22a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 124(22) thereof, regulating the parking of vehicles on Fayette Street, between Mount Street and Monroe Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 124(22a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 124(22) thereof, and to read as follows:

124.

(22a) No vehicle is permitted to be parked between the hours of 12 o'clock noon and 1 P. M. on those days on which schools are ordinarily in session on either side of Fayette Street, between Mount Street and Monroe Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1568

(Council No. 2439)

An ordinance to repeal Section 137(37a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1879, approved April 9, 1959, and to ordain in lieu thereof new Sections 137(37a), 137(37b) and 137(37c), to stand in the place of the section so repealed, revising the provisions concerning the stopping and parking of vehicles on certain portions of South Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 137(37a) of Article 38 of the Baltimore City Code (1950 Edi-

tion), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 1879, approved April 9, 1959, be and it is hereby repealed; and that new Sections 137(37a), 137(37b), and 137(37c) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and all to read as follows:

137.

(37a) No vehicle is permitted to be stopped between the hours of 7 A. M. and 9 A. M. and between the hours of 4 P. M. and 7 P. M. on any day on the west side of South Street, between Baltimore Street and Pratt Street; and between the hours of 9 A. M. and 4 P. M. on any day, no vehicle is permitted to be parked on this portion of the west side of South Street.

(37b) No vehicle is permitted to be stopped between the hours of 7 A. M. and 9 A. M. and the hours of 4 P. M. and 7 P. M. on any day on the east side of South Street, between Baltimore Street and Lombard Street; and between the hours of 9 A. M. and 4 P. M. on any day, no vehicle is permitted to be parked on this portion of the eastern side of South Street.

(37c) No vehicle is permitted to be stopped between the hours of 7 A. M. and 9 A. M. and the hours of 4 P. M. and 7 P. M. on any day on the east side of South Street, between Lombard Street and Pratt Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved February 26, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1569

(Council No. 1653)

An ordinance granting authority to Hutzler Brothers Company of Baltimore City, a corporation, to connect the rear of premises occupied by them on the west side of North Howard Street, corner of Wagon Alley, now called Clay Street, known as 212 to 218, with the rear of the building or improvements erected by them opposite the same on the South side of Saratoga Street and the North side of Wagon Alley, now called Clay Street, between Howard and Eutaw Streets, by covered superstructures or bridgeways above and across said Wagon Alley, now called Clay Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 133, approved March 31, 1924.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That in pursuance of the power vested in it, and for the convenience of the public having business with Hutzler Brothers Company of Baltimore City, a corporation, authority be and the same is hereby granted to the said Hutzler Brothers Company of Baltimore City, its successors or assigns, to continue to maintain at their own cost for a period of one year with renewals as hereinafter described, two covered superstructures or bridgeways above and across the surface of Wagon Alley, now called Clay Street, which shall connect the rear of the fourth and fifth floors of the premises occupied by the said Hutzler Brothers Company of Baltimore City, on the west side of North Howard Street, known as Numbers 212 to 218, with the rear of the corresponding floors of the building or improvements erected by them opposite the same on the south side of Saratoga Street, and the north side of Wagon Alley, now called Clay Street, between Howard and Eutaw Streets, upon the terms and conditions following; that is to say:

That the two said superstructures or bridgeways shall extend from and connect respectively the fourth and fifth floors of the rear of the premises occupied by said Hutzler Brothers Company of Baltimore City, on north Howard Street, as aforesaid, with the rear of the corresponding floors of the building or improvements erected by them on the south side of Saratoga Street, and the north side of Wagon Alley, now called Clay Street, as aforesaid; that the bottom of the lower of said superstructures or bridgeways shall be not less than forty-eight feet from the surface of the center of said Wagon Alley, now called Clay Street, and that the bottom of the upper of said superstructures or bridgeways shall be not less than sixty-two feet above the surface of the center of said Wagon Alley, now called Clay Street; that each of said two superstructures or bridgeways shall be ten feet six inches wide by eleven feet high, their bases formed of steel beams, with reinforced concrete slabs between the beams covered with granolithic or cement; and in order not to obstruct the air and light now received from said alley by the occupants of the buildings adjacent to or adjoining said superstructures or bridgeways, each side of each superstructure or bridgeway shall be formed of channel standards placed about two feet centers, with a middle and top rail of three-inch angle iron, the spaces between the standards and rails to be covered with wire glass. No woodwork or other combustible material shall be used in the construction of same, and the openings from the said buildings to said superstructures or bridgeways on each floor shall be covered with standard fire-doors; and further the said superstructures or bridgeways shall be erected and completed under the supervision and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained,* That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of

..... per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained,* That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Balti-

more, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten year term granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 8. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained,* That Ordinance No. 133, approved March 31, 1924, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 133, approved March 31, 1924, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 133.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1570

(Council No. 1654)

An ordinance granting authority to Isaac Benesch & Sons to connect the rear of the premises occupied by them known as Nos. 549 and 551 North Gay Street, in Baltimore City, with the warehouse occupied by them on the southeast side of Little McElderry Street and known as Nos. 1161-63 Little McElderry Street by a covered bridgeway above and across the surface of Little McElderry Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 144, approved July 23, 1912.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That in pursuance of the power vested in it, for the convenience of the employees of the firm of Isaac Benesch & Sons and for the prevention of interference with the removal of goods from one warehouse to another by the public, authority be and is hereby granted to Isaac Benesch & Sons, and its assigns, to continue to maintain at their own cost, for a period of one year with renewals as hereinafter described, a covered superstructure or bridgeway above and across the surface of Little McElderry Street, which shall connect the rear of the second floor of the building occupied by said Isaac Benesch & Sons on North Gay Street and known as Nos. 549-51 North Gay Street with the corresponding floor of the warehouse occupied by them on the southeast side of Little McElderry Street and known as Nos. 1161-63 Little McElderry Street

upon the terms and conditions following; that is to say:

That said superstructure or bridgeway shall extend from and connect the rear or the second floor of the premises occupied by them at Nos. 549-51 North Gay Street with the corresponding floor of the warehouse occupied by them on the southeast side of Little McElderry Street and known as Nos. 1161-63 Little McElderry Street; that the bottom of the lowest part of said superstructure or bridgeway, in order to permit of free passage of vehicles of every description through Little McElderry Street, be not less than sixteen feet from the surface of the center of Little McElderry Street; that said superstructure or bridgeway shall be seven feet wide, eight feet high and thirty feet and two inches long, and constructed entirely of fire-resisting materials, under the supervision and approval of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be

for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten year term granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of

this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 8. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any

and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained*, That Ordinance No. 144, approved July 23, 1912, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 144, approved July 23, 1912, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 144.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1571

(Council No. 1655)

An ordinance granting permission to the Emerson Drug Company, Inc., to erect a superstructure or bridgeway, four stories high, over and across a 20-foot alley to connect its building on the premises known as northeast corner Eutaw and Lombard

Streets with the building on the premises known as 11 S. Eutaw Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 205, approved June 17, 1924.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That in pursuance of the power vested in it and for the convenience of the Emerson Drug Company, Inc., and its employees, permission and authority are hereby given and granted to the said Emerson Drug Company, Inc., its successors and assigns (hereinafter referred to as grantee), to maintain, at its own cost, for a period of one year with renewals as hereinafter described; a superstructure or bridgeway, four stories high, above and across a 20-foot alley, which shall connect its building on the premises known as northeast corner Eutaw and Lombard Streets with its building on the premises known as 11 S. Eutaw Street, upon the terms and conditions following; that is to say:

That the lowest part of said superstructure or bridgeway be not less than 16 feet above the surface of the 20-foot alley, and that it shall be approximately 20 feet long, 15 feet wide and four stories high. No woodwork or other combustible material shall be used in the construction of same, and the entire structure shall be constructed under the supervision and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore, and shall be at all times hereafter under the regulation and control of the said Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, or giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten year term*

granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained*, That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained*, That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained*, That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained*, That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 8. *And be it further ordained*, That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridge-

ways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained*, That Ordinance No. 205, approved June 17, 1924, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 205, approved June 17, 1924, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 205.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1572

(Council No. 1656)

An ordinance granting authority to the Morgan Millwork Company, a body corporate, to connect the second floor of the rear of its warehouse fronting on the south side of North Avenue and known as 113 to 121 West North Avenue, now occupied by it, with a building situate on its lot on the south side of a twenty foot street, now known as Trenton Street, directly opposite the rear of its said warehouse fronting on North Avenue, by a covered superstructure or bridgeway above and across said twenty foot street, now known as Trenton Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 83, approved February 11, 1916.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That in pursuance of the power vested in it authority be and the same is hereby granted to the Morgan Millwork Company, a body corporate, its successors and assigns, to continue to maintain, at its cost, for a period of one year with renewals as hereinafter described, a covered superstructure or bridgeway above and across the surface of a twenty foot street, now known as Trenton Street, which will connect the second floor of the rear of the warehouse owned and occupied by the Morgan Millwork Company on the south side of North Avenue, and known as 113 to 121 West North Avenue, with a building situated opposite the rear of said warehouse, on the south side of a twenty foot street now known as Trenton Street upon the terms and conditions following; that is to say:

That the said superstructure or bridgeway shall extend from and connect the second floor of the rear of the warehouse occupied by the Morgan Millwork Company on the south side of North Avenue, and known as 113 to 121 West North Avenue, with a building situate upon its lot on the south side of a

street twenty feet wide, now known as Trenton Street, directly opposite the rear of said premises on North Avenue aforesaid. That the said superstructure or bridgeway shall, in order to permit the free passage across the same from the said rear of the said warehouse on North Avenue to the building situate on the south side of said twenty foot street, now known as Trenton Street, be not less than ten feet wide and nine feet more or less in height, and extend from the rear of the said warehouse on North Avenue to the building situate on the south side of said Trenton Street. The base shall be formed of two steel beams with floor of 3 x 8 joist with three inch plank floor, the entire sides, floor and roof of said superstructure or bridgeway to be covered with corrugated iron; and shall be at least twenty-one feet above the surface of said Trenton Street, and to be supported at the northernmost end by the rear brick wall of the present warehouse of the Morgan Millwork Company, and at the southernmost end by two steel columns.

And further the said superstructure or bridgeway shall be erected and completed under the superintendence and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained,* That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained,* That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and

not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten year term granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the franchise or right granted by this ordinance shall

be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 8. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made with-

out any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained*, That Ordinance No. 83, approved February 11, 1916, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 83, approved February 11, 1916, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 83.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1573

(Council No. 1657)

An ordinance granting authority to Little Potts Co. to erect a covered bridgeway from its building 710 North Durham Street over Milliman Street to its building 712 North Durham Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 91, approved April 9, 1912.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That in pursuance of the power vested in it, authority is hereby granted to Little Potts Co. to continue to maintain at its own cost for a period of one year with records as hereinafter described a covered bridgeway 8.0 feet wide by 18.0 feet high across Milliman Street, from 710 to 712 North Durham Street, to be approximately about 12 feet above pavement, upon the terms and conditions following; that is to say:

That the said bridgeway shall extend from the north to the south side of buildings 710 to 712 North Durham Street, that the bottom of said bridgeway shall, in order to permit the free passage of vehicles of every description through said street be not less than 12 feet from the surface of said street. No woodwork or other combustible material shall be used in the construction of same, and shall be erected and completed under the supervision and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained,* That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained,* That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten year term

granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 8. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridge-

ways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained*, That Ordinance No. 91, approved April 9, 1912, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 91, approved April 9, 1912, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 91.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1574

(Council No. 1660)

An ordinance granting permission and authority to the United States Fidelity & Guaranty Company to continue to maintain, at its own cost, a bridge measuring nine feet high, with an average width of nine feet six inches, inside measurement, the same to extend over Mercer Street with a clearance of eighty-nine feet from the bed of Mercer Street to the bottom of said bridge, for the purpose of connecting its building situated on the southwest corner of Calvert and Redwood Streets with a building situated on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets subject to certain terms, provisions and conditions; and to repeal Ordinance No. 640, approved November 28, 1921.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That permission and authority be and the same is hereby granted to the United States Fidelity & Guaranty Company to continue to maintain at its own cost, for a period of one year with renewals as hereinafter described, one structure, to wit:

A bridge over and across Mercer Street, which said bridge shall connect the seventh floor of the present building owned and occupied by the United States Fidelity & Guaranty Company, situate on the southwest corner of Calvert and Redwood Streets, with the seventh floor of the building opposite to the above described premises, being situate on that lot of ground bounded by Mercer, Calvert, Water and Grant Streets; the said grant to be upon the terms and conditions following; that is to say:

That the said bridge, which shall measure 33 feet, 3- $\frac{1}{8}$ "', more or less, in length, between the walls of said buildings, shall extend from the seventh floor of the building on the southwest corner of Calvert and Redwood Streets, now owned and occupied by the

United States Fidelity & Guaranty Company, and connect with the corresponding seventh floor of the building opposite, on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets, as shown on a plan and on an elevation hereto attached and made a part of this ordinance.

That the said bridge shall be so located as to permit a clearance of eighty-nine feet, more or less, measured from the bed of Mercer Street to the bottom of said bridge.

That said bridge shall be 9 feet high and 6 feet 2 inches wide at the north end, and 12 feet 11 inches wide at the south end, or an average width of 9 feet 6 inches inside measurement.

That the spans shall be formed of structural steel I or channel beams of such scheme of construction as shall be directed and approved by the Bureau of Building Inspection of the City of Baltimore.

That the side walls of said bridge shall be of brick with window openings, the construction of which shall likewise be in accordance with the approval of the Bureau of Building Inspection of the City of Baltimore. That the floor, ceiling and roof of said bridge shall be of concrete or of other similar material as will meet the approval of the Bureau of Building Inspection of the City of Baltimore.

That no woodwork or other inflammable or combustible material except for the purpose of furring and trim shall be used in the construction of the same.

That said bridge shall be erected and completed under the supervision of and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

That said bridge shall be equipped with adequate fire doors, which shall be approved by the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the

said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of
 per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained,* That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become

effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten year term granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 8. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridge-ways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained,* That Ordinance No. 640, approved November 28, 1921, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 640, approved November 28, 1921, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 640.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1575

(Council No. 1661)

An ordinance granting permission and authority to the United States Fidelity & Guaranty Company to dig, continue to maintain, at its own cost, a tunnel measuring seven feet high by six feet wide inside measurement, the same to extend under the bed of Mercer Street, for the purpose of connecting its building situated on the southwest corner of Calvert and Redwood Streets, with a building situated on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets subject to certain terms, provisions and conditions; and to repeal Ordinance No. 606, approved June 15, 1921.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission and authority be and the same is hereby granted to the United State Fidelity & Guaranty Company to continue to maintain at its own cost, for a period of one year with renewals as hereinafter described, one structure, to wit:

A tunnel under and across the surface of Mercer Street, which tunnel shall connect the basement of the premises occupied by the said United States Fidelity & Guaranty Company, situate on the southwest corner of Calvert and Redwood Streets, with the basement of the building opposite to the above described premises, being situate on that lot of ground bounded by Mercer, Calvert, Water and

Grant Streets; said grant to be upon the terms and conditions following, that is to say:

That the said tunnel, which shall measure nineteen feet, eight inches, more or less, in length, between curbs; shall extend from the basement of the premises on the southwest corner of Calvert and Redwood Streets, now occupied by the United States Fidelity & Guaranty Company, and connect with the corresponding basement of the building opposite on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets, as shown on a plat hereto attached, and made a part of this ordinance.

That the said tunnel shall be so located beneath the surface of the street as to permit the free and uninterrupted passage of pipes and other utilities through the bed of Mercer Street.

That said tunnel shall be seven feet high and six feet wide, inside measurement.

That the ceiling shall be formed of reinforced concrete and of such scheme of construction as shall be directed and approved by the Bureau of Building Inspection of the City of Baltimore. That each side of said tunnel shall also be of reinforced concrete, the thickness thereof likewise to be in accordance with the approval of the Bureau of Building Inspection of the City of Baltimore.

That the foundation and floor shall be of concrete or of such other similar material as will meet the approval of the Bureau of Building Inspection of the City of Baltimore.

That no woodwork or other inflammable or combustible material shall be used in the construction of the same.

That said tunnel shall be erected and completed under the supervision of and to the satisfaction of the said Bureau of Building Inspection of the City of Baltimore.

That said tunnel shall be equipped with adequate fire doors which shall be approved by the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of

said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original ten year term granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 6. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the

grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 8. *And be it further ordained*, That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 9. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 10. *And be it further ordained*, That the said United States Fidelity and Guaranty Company shall pay to the City within thirty days after written notice from the Highways Engineer of the amount due, the cost of re-locating, strengthening or encasing in concrete all sub-surface structures belonging

to the Mayor and City Council of Baltimore located in Mercer Street in or adjacent to the space to be occupied by said tunnel and shall also pay to the City within thirty days after written notice from the Highways Engineer of the amount due, the cost of re-locating any surface structures belonging to the City made necessary by the construction of said tunnel, the judgment of the Highways Engineer as to the work necessary to safeguard said sub-surface structures and as to the necessity of re-locating any surface structures to be final.

SEC. 11. *And be it further ordained*, That Ordinance No. 606, approved June 15, 1921, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 606, approved June 15, 1921, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 606.

SEC. 12. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1576

(Council No. 2117)

An ordinance to amend Sheets No. 31 and 32 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the E-40 Height and Area District to the F-40 Height and Area District, the property lying southeast of Duvall Avenue, west of Chelsea Terrace, north of

Windsor Mill Road, northeasterly of Gwynns Falls and easterly of Clyfton Road, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheets No. 31 & 32 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the E-40 Height and Area District to the F-40 Height and Area District, the property lying south-east of Duvall Avenue, west of Chelsea Terrace, north of Windsor Mill Road, northeasterly of Gwynns Falls, and easterly of Clyfton Road, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1577

(Council No. 2169)

An ordinance to amend Sheet No. 67 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Industrial Use District to the Second Commercial Use District, the property on the southeast side of Hull Street, between Cuba Street and Beason Street, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 67 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Industrial Use District to the Second Commercial Use District, the property on the southeast side of Hull Street, between Cuba Street and Beason Street, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1578

(Council No. 2242)

An ordinance to amend Sheet No. 46 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the Residential and Office Use District, the property on the east and west sides of North Calvert Street, from a point south of North Avenue to a point north of Federal Street, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 46 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the Residential and Office Use District, the property on the east and west sides of North Calvert Street, from a point south of North Avenue to a point north of Federal Street, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the

President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1579

(Council No. 2304)

An ordinance to amend Sheet No. 33 of the Height and Area District Maps of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the D-40 Height and Area District to the C-11½ Height and Area District, the property on the west side of Towanda Avenue, northerly from Ocala Avenue and the properties on the east side of Towanda Avenue north and south of Wichita Avenue, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 33 of the Height and Area District Maps of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, be and it is hereby amended by changing from the D-40 Height and Area District to the C-11½ Height and Area District, the property on the west

side of Towanda Avenue, northerly from Ocala Avenue, and the properties on the east side of Towanda Avenue, north and south of Wichita Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1580

(Council No. 2306)

An ordinance assenting to the establishment of a hospital and appurtenant structures by Provident Hospital, Inc. and its affiliated organizations on the several tracts of land presently owned by the Estate of G. Dudley Iverson IV and Successor Trustees under the will of Alice I. Klingstine northwesterly from Ocala Avenue between Liberty Heights and Towanda Avenues, and east of Towanda Avenue north and south of Wichita Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That pursuant to the provisions of Section 1 of Article 13 of the Baltimore City Code (1950 Edition), the assent of the Mayor and City Council of Baltimore is hereby given for the establishment by Provident Hospital, Inc. and its affiliated organizations of a hospital and appurtenant structures on the several tracts of land presently owned by the Estate of G. Dudley Iverson, IV and Successor Trustees under the will of Alice I. Klingstine northwesterly from Ocala Avenue between Liberty Heights and Towanda Avenues, and east of Towanda Avenue north and south of Wichita Avenue. Except as in this ordinance specifically provided otherwise all ordinances, rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction, maintenance and operation of said buildings.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1581

(Council No. 2429)

An ordinance to comply with the provisions of Paragraph 2138 of Article 5 of the Baltimore City Code (1950 Edition as amended), this Article being known generally as the Building Code of Baltimore City, and to waive any other applicable ordinances and rules and regulations of the Mayor and City Council of Baltimore in order to permit the construction and maintenance of a certain brick wall with a sign attached on City property near Woodbourne Avenue, north of Echo-dale Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the provisions of Paragraph 2138 of Article 5 of the Baltimore City Code (1950 Edition, as amended), this Article being known generally as the Building Code of Baltimore City, are complied with, and the provisions of any other applicable ordinances or rule or regulation of the Mayor and City Council of Baltimore are waived in order to permit the construction and maintenance of a brick wall with sign attached on City property fronting on Woodbourne Avenue, north of Echodale Avenue. This brick wall shall not be more than 3-1/2 feet high, and not more than 12 feet long. Except as in this ordinance specifically provided, all ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of this brick wall with sign attached.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1582

(Council No. 2459)

An ordinance to waive certain provisions of paragraph 4711 and of other portions of Article 5 of the Baltimore City Code (1950 Edition), as amended by Ordinance No. 64, approved August 16, 1951, said Article 5 being known generally as the Building Code, in order to permit the construction of a general marine freight storage building by the Rukert Terminals Corporation on the property generally known as 3201 Mertens Avenue, all as more particularly described herein.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the provisions of paragraph 4711 of Article 5 of the Baltimore City Code (1950 Edition), as amended by Ordinance No. 64, approved August 16, 1951, and also any other pertinent and conflicting provisions of said Building Code be and they are hereby waived insofar as they impose a maximum volume of 350,000 cubic feet, as increased to 1,050,000 cubic feet when equipped throughout with a sprinkler system, for certain types of construction of storage buildings. This waiver shall be effective only as to a general marine freight storage building to be constructed by The Rukert Terminals Corporation on its property generally known as 3201 Mertens Avenue in the City of Baltimore, and used primarily for the storage of general marine freight. Said building shall not exceed one story in height, and shall not contain undivided space of a volume greater than 925,000 cubic feet. The waiver hereby granted shall be effective only if the said building shall be constructed of incombustible materials in structural assemblies that will meet the approval of the Commissioner as providing adequate fire-resistiveness. If the clear ceiling height of said building shall be not less than 20 feet, and if no light gauge steel shall be used for structural members in the roof framing and if all roof purlins shall have a minimum thickness of 9/32 of an inch, then a sprinkler system shall not be required.

Except for the specific provisions of this Ordinance, all other provisions of said Building Code and all other laws and ordinances of Baltimore City applicable thereto, shall be observed in the construction of the said building.

SEC. 2. *And be it further ordained,* That this Ordinance shall take effect from the date of its passage.

Approved March 8, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1583

(Council No. 2262)

An ordinance to repeal and reordain with amendments Section 6(8) of Article 23 of the Baltimore City Code (1950 Edition), title "Pensions," subtitle "Benefits," subheading "Ordinary Death Benefit," as said section was amended by Ordinance 1039, approved December 21, 1961, amending the ordinance concerning the payment of an ordinary death benefit on behalf of a former member of the City Employees' Retirement System in order to remove therefrom a requirement that the person receiving this payment have an insurable interest in the life of the former member, and relating generally to the conditions and requirements of the payment of the so-called ordinary death benefit following the death of a member of the retirement system.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 6(8) of Article 23 of the Baltimore City Code (1950 Edition), title "Pensions," subtitle "Benefits," subheading "Ordinary Death Benefit," as said section was amended by Ordinance 1039, approved December 21, 1961, be and it is hereby repealed and reordained with amendments to read as follows:

6.

(8) Upon the receipt of proper proofs of the death of a member in service there shall be paid to his estate or to such person as he shall have nominated by written designation duly executed and filed with the Board of Trustees,

(a) His accumulated contributions and, if the member has had one or more years of creditable service, and no pension be payable under the provisions of Subsection 9 of this section, in addition thereto,

(b) An amount equal to fifty per centum of his or her current annual compensation or average

final compensation, whichever shall be the greater at the time of his or her death.

(c) Provided, however, that if the member was eligible for a service retirement allowance at the time of his death, and if the person designated by the member as his beneficiary under this subsection is (i) his surviving parent or (ii) his surviving spouse with whom he had been living for at least five years at the time of his death, such beneficiary may elect to receive in lieu of (a) and (b) above, an allowance equal to that which would have been paid to such beneficiary under Option 2 of subsection (11)(a) hereof, had the member elected Option 2 in favor of such beneficiary and retired thirty days before death. To receive this alternative death benefit, the designated parent or spouse must make written application therefor not later than sixty days after the death of the member on forms provided by the Board of Trustees.

The payment of the alternative allowance described in this paragraph shall be provided for, to the extent not provided for elsewhere in this Article for the payment of (a) and (b) above, in its annual Ordinance of Estimates by the Mayor and City Council of Baltimore; and annual payments shall be made by the Mayor and City Council of Baltimore to the Retirement System of the additional amounts required to meet the current disbursements for such alternative allowances.

SEC. 2. *And be it further ordained*, That every nomination by written designation duly executed and filed with the Board of Trustees prior to the effective date of this Ordinance is valid for every interest and purpose, insofar as concern the requirements of said subsection 6(8) as here amended.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1584

(Council No. 2407)

An ordinance to waive the requirements of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, and to waive any other applicable ordinances or regulations of the Mayor and City Council of Baltimore in order to permit the construction and maintenance of an outside masonry stairway extending over the building line on the premises known generally as 1032 North Monroe Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the provisions of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, and also the provisions of any other applicable ordinances or rules or regulations of the Mayor and City Council of Baltimore are waived in order to permit the construction and maintenance of an outside masonry stairway from the ground level to the second floor and extending across the building line on the premises known generally as 1032 North Monroe St. Except as in this ordinance specifically provided, all ordinances and all rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of this outside stairway.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1585

(Council No. 2410)

An ordinance to repeal and reordain with amendments Section 169(2a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," as said section was ordained by Ordinance 1293, approved June 25, 1962, amending the ordinance which provides for the installation and operation of parking meters on the East Side of Harford Road from Shirey Avenue to Rueckert Avenue in order to make said ordinance apply to the east side of Harford Road, between Shirey Avenue and Ailsa Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 169(2a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," as said section was ordained by Ordinance 1293, approved June 25, 1962, be and it is hereby repealed and reordained with amendments to read as follows:

169.

(2a) Harford Road, east side, from Shirey Avenue to Ailsa Avenue, between the hours of 8 A.M. and 4:30 P.M.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1586
(Council No. 2449)

An ordinance to add a new Section 124(24a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 124(24), prohibiting the parking of vehicles on the northerly side of Fleetwood Avenue, from Walter Avenue to Belair Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 124(24a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 124(24), and to read as follows:

124.

(24.) No vehicle is permitted to be parked at any time on the northerly side of Fleetwood Avenue, between Walther Avenue and Belair Road.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1587
(Council No. 2450)

An ordinance to add a new Section 131(5a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section

131(5) thereof, prohibiting the parking of vehicles on the westerly side of McClean Boulevard, between Northern Parkway and the first driveway northerly from Northern Parkway.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 131(5a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 131(5) thereof, and to read as follows:

131.

(5a) No vehicle is permitted to be parked at any time on the westerly side of McClean Boulevard, between Northern Parkway and the first driveway northerly from Northern Parkway.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1588

(Council No. 2451)

An ordinance to add a new Section 132(10a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 132(10) thereof, prohibiting the parking of vehicles on the southerly side of Northern Parkway between the Eastern City Boundary Line and Walther Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 132(10a)

be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 132(10) thereof, and to read as follows:

132.

(10) No vehicle is permitted to be parked at any time on the southerly side of Northern Parkway between the Eastern City Boundary Line and Walther Avenue.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1589

(Council No. 2452)

An ordinance to add a new Section 132(10a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 132 (10) thereof, prohibiting the parking of vehicles on the southerly side of Northern Parkway, between Merville Avenue and a point 300 feet easterly from Pimlico Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 132(10a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 132(10) thereof, and to read as follows:

132.

(10a) No vehicle is permitted to be parked at any time on the southerly side of Northern Parkway

between Merville Avenue and a point 300 feet easterly from Pimlico Road.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1590

(Council No. 2453)

An ordinance to add Section 141(40a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 141(40) thereof, prohibiting the parking of vehicles on the southerly side of Whitelock Street between the first alley westerly from Druid Hill Avenue and a point 120 feet westerly from Francis Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 141(40a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 141(40) thereof, and to read as follows:

141.

(40a) No vehicle is permitted to be parked at any time on the southerly side of Whitelock Street between the first alley westerly from Druid Hill Avenue and a point 120 feet westerly from Francis Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved March 11, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1591

(Council No. 2444)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the former bed of Scott Street, 66 feet wide, extending from the northerly side of Paca Street to the southerly side of Ostend Street. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the parcel of land situate in Baltimore City, State of Maryland, and described as follows:

BEGINNING for the same at the point formed by the intersection of the southwest side of Ostend Street, 66 feet wide, and the east side of Scott Street, 66 feet wide, now closed, and running thence southerly, binding on the east side of said Scott Street, 340.0 feet to intersect the north side of Paca Street, as now laid out; thence westerly binding on the north side of said Paca Street by a line curving to the left, with a 638.0 foot radius, the distance of 66.07 feet to intersect a line drawn parallel with and distant 66.0 feet westerly, measured at right angles from the first line of this description; thence northerly, reversing said line so drawn and binding thereon, 367.50 feet to intersect the line of the southwest side of said Ostend Street, produced northwesterly, and thence southeasterly, reversing the line of the southwest side of said Ostend Street, so produced and binding thereon 70.14 feet to the place of beginning.

References to Scott Street are made for purposes of description only.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 5, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1592
(City Council 2517)

An ordinance to repeal Ordinance No. 85, approved February 19, 1916, entitled "An Ordinance to Condemn and Open Hillside Road, Sixty-six Feet Wide, from Reisterstown Road to Liberty Heights Avenue, in Accordance with a Plat Thereof Filed in the Office of the Commissioners for Opening Streets on the Twenty-fourth Day of November 1915, and Now on File in Said Office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance No. 85, approved February 19, 1916, entitled "An Ordinance to Condemn and Open Hillside Road, Sixty-six Feet Wide, from Reisterstown Road to Liberty Heights Avenue, in Accordance with a Plat Thereof Filed in the Office of the Commissioners for Opening Streets on the Twenty-fourth Day of November 1915, and Now on File in Said Office," be and the same is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 10, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1593

(City Council 1575)

An ordinance ratifying and approving of a proposed agreement by and between the Mayor and City Council of Baltimore and Baltimore Gas and Electric Company, concerning the granting of a perpetual easement through city-owned property adjacent to the Baltimore and Ohio Railroad, where the same crosses Russell Street in Baltimore City for the construction and maintenance therein of gas mains, service pipes and appurtenances, and the release by the Baltimore Gas and Electric Company to the City of Baltimore of an existing easement over the property of the Mayor and City Council of Baltimore at another location.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the proposed agreement by and between the Mayor and City Council of Baltimore and the Baltimore Gas and Electric Company be and the same is hereby ratified and confirmed, the said proposed agreement being as follows:

“THIS AGREEMENT, Made this _____ day of _____, 1961, by and between the MAYOR AND CITY COUNCIL OF BALTIMORE, a municipal corporation of the State of Maryland, party of the first part, and BALTIMORE GAS AND ELECTRIC COMPANY, a body corporate of the State of Maryland, party of the second part,

WITNESSETH :

“THAT WHEREAS, by Ordinance No. _____, approved _____ the Mayor and City Council of Baltimore was authorized to grant unto the party of the second part a perpetual easement, 20 feet wide, in and through the property owned by the Mayor and City Council of Baltimore situate adjacent to the southwest side of the Baltimore and Ohio Railroad where the same crosses Russell Street in Baltimore City, Maryland, for the construction and maintenance therein of a 26-inch

gas main and other gas mains, service pipes and appurtenances, in consideration of the release by the party of the second part to the party of the first part of an existing easement over another portion of the property of the party of the first part; and

“WHEREAS, the grant of said easement has been approved and duly entered upon the minutes of the Board of Estimates of Baltimore City on

“NOW THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00), the receipt whereof is hereby acknowledged, the party of the first part hereto does hereby grant and convey unto the party of the second part a perpetual easement 20 feet wide for the construction, operation and maintenance therein of a 26-inch gas main and other gas mains, service pipes and appurtenances in and through the property of the party of the first part situate in Baltimore City, Maryland, and described as follows:

BEGINNING for the same on the southwest side of the right of way of The Baltimore and Ohio Railroad Company, 66 feet wide, (formerly Putnam Street, now closed by Baltimore City Ordinance No. 429 dated May 6, 1933) at a point distant North 45 degrees 17 minutes West 233.88 feet, measured along the southwest side of said right of way, from the corner formed by the intersection of the southwest side of said railroad right of way, formerly Putnam Street, with the west side of Russell Street, 100 feet wide, the coordinates of said point of beginning being South 10787.64 and West 5588.66 based upon the system established by the Topographical Survey of Baltimore City and running thence from said place of beginning and binding on the southwest side of the right of way of The Baltimore and Ohio Railroad Company, formerly Putnam Street, North 45 degrees 17 minutes West 20.98 feet, thence leaving said railroad right of way and running for the northwest side of the 20-foot right of way now being described the two following courses and distances

viz: South 62 degrees 20 minutes West 53.73 feet and South 21 degrees 20 minutes West 124.77 feet to a point on the northwest side of a 20-foot right of way heretofore granted by The Baltimore and Annapolis Railroad Company to the Consolidated Gas Electric Light and Power Company of Baltimore by a deed of right of way dated August 17, 1949 and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 7853, folio 448, thence binding on the northwest side of said last mentioned right of way, North 58 degrees 57 minutes 44 seconds East 32.76 feet to a point distant South 58 degrees 57 minutes 44 seconds West 138.23 feet, measured along the northwest side of said last mentioned right of way, from the southwest side of the right of way of The Baltimore and Ohio Railroad Company, formerly Putnam Street, and thence leaving the northwest side of said 20-foot right of way conveyed as aforesaid and running for the southeast side of the 20-foot right of way now being described and running parallel with and distant 20 feet southeasterly, measured at a right angle, from the third and second lines of this description, the two following courses and distances viz: North 21 degrees 20 minutes East 91.34 feet and North 62 degrees 20 minutes East 52.60 feet to the place of beginning.

Containing 0.074 of an acre of land, more or less.

Being a part of a parcel of land which by a deed dated October 5, 1960, and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 953, folio 330, was conveyed by the Bergee Hotel Corporation et al. to the Mayor and City Council of Baltimore.

“TOGETHER WITH the right of access at all times to said gas mains, service pipes, or appurtenances, and the right to make necessary openings and excavations for the purpose of examining, repairing, replacing, or altering the same, provided that all openings and excavations shall be properly refilled and the property left in good and safe condition.

“TOGETHER WITH the further right during the period required for construction of the gas mains therein, to haul pipe, material, and equipment over adjacent property of the party of the first part, provided that access thereto shall not be from the through highway but limited to the service road or roads, and further provided that no pipe, material, equipment, or vehicles will be stored or parked on the shoulders of the roadway of the through highway being constructed by the party of the first part.

“It is further covenanted and agreed by and between the parties hereto, for themselves and their respective successors and assigns, that:

1. No other buildings or structures of any kind shall be erected in, on, or over said right of way by the party of the first part.

2. No heavy equipment or material shall be moved or stored in or over said easement without the prior approval of the party of the second part.

3. The party of the first part shall make no changes in grade of the surface of said easement that would reduce the cover over the gas mains, service pipes, or other appurtenances therein at the time located to less than 3 feet, nor increase such cover to more than 5 feet.

4. The party of the first part agrees to release and indemnify, protect, and save harmless (including but not limited to defending suits against) the party of the second part from all costs or expense resulting from any and all loss of property (including interruptions of service) or injury or damage to the person or property of any person, firm, or corporation, including the parties hereto and their contractors and subcontractors and the officers, agents, and employees of any of them, and from and against any and all claims, demands, or actions for such loss, injury, or damage, caused by or growing out of the operations and activities of the party of the first part and its contractors and subcontractors and their respective officers, agents, and employees, and out

of the presence, use, construction, maintenance, or repair of the through highway, service roads, drainage appurtenances, or other structures, or injury or damage to or thereby.

5. The party of the second part, on demand of the party of the first part, shall promptly shift, adjust, accommodate, alter, or remove the aforesaid gas mains, service pipes, or appurtenances at the expense of the party of the first part in the event the said gas mains, service pipes, or appurtenances block, interfere with, or impede the progress of any future work or construction made by the party of the first part within the aforesaid easement.

6. Party of the second part will protect, indemnify, and save the party of the first part harmless from any and all damages to property and injury to persons resulting from the construction and maintenance of said gas mains, service pipes, or appurtenances within said easement.

7. The release of the existing easement described as part of the consideration for the grant of the easement herein provided, shall be executed by the party of the second part at such time as its gas mains and other appurtenances therein located shall have been removed or abandoned, which cannot be completed until after construction of certain gas mains and appurtenances in the easement herein granted.

“IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed and their respective corporate seals affixed hereto as of the day and year first above written.”

Attest:

.....

MAYOR AND CITY COUNCIL OF BALTIMORE

By

Mayor

.....

Philip H. Goodman, President

.....
R. Walter Graham, Jr. Comptroller

.....
Bernard L. Werner
Director of Public Works

.....
Francis B. Burch, City Solicitor
Majority of Members of the Board of
Estimates

Attest:

.....
Secretary

BALTIMORE GAS AND ELECTRIC COMPANY
By

SEC. 2. *And be it further ordained,* That the Mayor of Baltimore City be and he is hereby authorized and directed:

(1) For and in the name of the Mayor and City Council of Baltimore to execute and deliver, in accordance with the terms of the aforementioned agreement, such deed or deeds and instruments necessary to carry out the provisions thereof by the Mayor and City Council of Baltimore; and

(2) For and on behalf of the Mayor and City Council of Baltimore to accept from the said Baltimore Gas and Electric Company, in accordance with the terms of the aforementioned agreement, said deed or deeds and instruments necessary to carry out the provisions of said agreement.

SEC. 3. *And be it further ordained,* That no deed or deeds or other instruments shall pass in accordance herewith unless the same shall first have been approved by the City Solicitor.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1594

(City Council 1979)

An ordinance approving a renewal plan for Project I extension of the Mount Royal-Fremont Urban Renewal Area, a renewal project lying within a portion of the Mount Royal-Fremont Urban Renewal Area as designated by Ordinance No. 875, approved May 22, 1957, and within a portion of the downtown urban renewal area as designated by Ordinance No. 1210, approved January 24, 1958, and amended by Ordinance No. 1586, approved July 9, 1958; authorizing the acquisition by purchase or by condemnation by the Mayor and City Council of Baltimore for Urban Renewal purposes of the fee simple interest or any lesser interest in and to certain properties or portions thereof situate in Baltimore City, Maryland, within the area bounded generally by McCulloh Street, Presstman Street, Madison Avenue, North Avenue, northerly boundary lines of properties known as 932 North Avenue and 2012 Linden Avenue, Linden Avenue, Ducatel Street, Brookfield Avenue, Lennox Street, Park Avenue, Watts Street, North Avenue, Malster Avenue, Pennsylvania Railroad right-of-way, Dolphin Street, Bolton Street, Mosher Street, Brevard Street, McMechen Street, Park Avenue and Laurens Street; establishing housing standards for the Mount Royal-Fremont Project I extension area in addition to those found in the Baltimore City Code of 1950, as amended, and all regulations promulgated pursuant thereto; providing penalties for violating any of the additional housing standards; providing that in selling property in the project area the Baltimore Urban Renewal and Housing Agency shall give preference under procedures established by it to developers who agree in writing not to discriminate in the sale, lease, use or occupancy of the property developed by them against any person because of race, creed, or national origin; providing

that in selling Disposition Lots Nos. 1, 12, 15, and 18 in the project area the Baltimore Urban Renewal and Housing Agency shall give preference under procedures developed by it to businesses located, as of the date of approval of this Ordinance, in properties listed in Section 2 of this Ordinance to be acquired; providing that the approval of the said renewal plan is not an enactment of any of the amendments to the zoning ordinance proposed therein; waiving such requirements, if any, as to content or of procedure for the preparation, adoption and approval of renewal plans as set forth in Ordinance No. 692, approved December 31, 1956, which the renewal plan for Project I Extension of the Mount Royal-Fremont Urban Renewal Area may not meet; providing for the separability of the various parts and applications of this ordinance; and providing for the effective date hereof.

WHEREAS, the area known as "Project I Extension of the Mount Royal-Fremont Urban Renewal Area" lies within a portion of the Mount Royal-Fremont Urban Renewal Area as designated by Ordinance No. 875, approved May 22, 1957, and within a portion of the Downtown Urban Renewal Area, as designated by Ordinance No. 1210, approved January 24, 1958, and amended by Ordinance No. 1586, approved July 9, 1958; and

WHEREAS, under Ordinance No. 692, approved December 31, 1956, the Baltimore Urban Renewal and Housing Agency was authorized to prepare Renewal Plans and to plan and to undertake Renewal Projects in Renewal Areas; and

WHEREAS, the Baltimore Urban Renewal and Housing Agency has prepared a Renewal Plan for Project I Extension of the Mount Royal-Fremont Urban Renewal Area in a portion of the Mount Royal-Fremont Urban Renewal area bounded generally by McCulloh Street, Presstman Street, Madison Avenue, North Avenue, northerly boundary lines of properties known as 932 North Avenue and

2012 Linden Avenue, Linden Avenue, Ducatel Street, Brookfield Avenue, Lennox Street, Park Avenue, Watts Street, North Avenue, Malster Avenue, Pennsylvania Railroad right-of-way, Dolphin Street, Bolton Street, Mosher Street, Brevard Street, Mc-Mechen Street, Park Avenue and Laurens Street; said Plan for Project I Extension of the Mount Royal Fremont Urban Renewal Area consisting of 41 pages and of exhibits numbered 1 through 5, inclusive; and

WHEREAS, the said Renewal Plan was approved as a Renewal Plan by the Planning Commission of Baltimore City on May 1, 1962, and was approved, adopted and recommended to the City Council by the Baltimore Urban Renewal and Housing Agency on May 3, 1962; now, therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That the Renewal Plan for Project I Extension of the Mount Royal-Fremont Urban Renewal Area, identified as "Renewal Plan, Project I Extension, Mount Royal-Fremont Urban Renewal Area (Project No. MD, R-13)," having been duly reviewed and considered, is hereby approved and the Clerk of the City Council is hereby directed to file a copy of said Renewal Plan with the Department of Legislative Reference as a permanent public record and make the same available for public inspection and information.

SEC. 2. *And be it further ordained,* That it is necessary to acquire by purchase or by condemnation for Urban Renewal purposes the fee simple interest in and to the properties or portions thereof situate in Baltimore City, Maryland, and described as follows:

1900 Bolton Street
1902 Bolton Street
1904 Bolton Street
1906 Bolton Street
1908 Bolton Street

1910 Bolton Street
1912-14 Bolton Street
2000 Bolton Street
2001 Bolton Street
2002 Bolton Street
2003 Bolton Street
2004 Bolton Street
2005 Bolton Street
2006 Bolton Street
2007 Bolton Street
2008 Bolton Street
2009 Bolton Street
2010 Bolton Street
2011 Bolton Street
2012 Bolton Street
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2000 Brookfield Avenue
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2012 Brookfield Avenue
2014 Brookfield Avenue
2016 Brookfield Avenue
2018 Brookfield Avenue
2020 Brookfield Avenue
2022 Brookfield Avenue
2122 Brookfield Avenue
2124 Brookfield Avenue
2126 Brookfield Avenue
2128 Brookfield Avenue
2130 Brookfield Avenue
2132 Brookfield Avenue
2134 Brookfield Avenue
2136 Brookfield Avenue
2138 Brookfield Avenue
2140 Brookfield Avenue

2001 Callow Avenue
2003 Callow Avenue
2005 Callow Avenue
2007 Callow Avenue
2009 Callow Avenue
2011 Callow Avenue
2013 Callow Avenue
2015 Callow Avenue
2017 Callow Avenue
2019 Callow Avenue

1401 Dickson Street
1512-14 Dickson Street
1518-20 Dickson Street

841 Ducatel Street
843 Ducatel Street
845 Ducatel Street
847 Ducatel Street

1901 Eutaw Place
1903 Eutaw Place
1905 Eutaw Place
1907 Eutaw Place
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1915-17 Eutaw Place
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1929-31 Eutaw Place
2000 Eutaw Place
2001 Eutaw Place
2002 Eutaw Place
2003 Eutaw Place
2004 Eutaw Place
2005 Eutaw Place
2006 Eutaw Place

- 2007 Eutaw Place
- 2008 Eutaw Place
- 2209 Eutaw Place
- 2011 Eutaw Place
- 2013 Eutaw Place
- 2015 Eutaw Place
- 2017 Eutaw Place
- 2018 Eutaw Place
- 2019 Eutaw Place
- 2020 Eutaw Place
- 2021 Eutaw Place
- 2022 Eutaw Place
- 2023 Eutaw Place
- 2024 Eutaw Place
- 2025 Eutaw Place
- 2026 Eutaw Place
- 2027 Eutaw Place
- 2028 Eutaw Place
- 2029-31 Eutaw Place
- 2030 Eutaw Place
- 2032 Eutaw Place
- 2034 Eutaw Place
- 2036 Eutaw Place
- 2038 Eutaw Place
- 2040 Eutaw Place
- 2042 Eutaw Place
- 2104 Eutaw Place
- 2106 Eutaw Place
- 2108 Eutaw Place

- 801 Hampson Street
- 802 Hampson Street
- 803 Hampson Street
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Rear 49 feet of 159 W. Lanvale Street

232 Laurens Street
234 Laurens Street
236 Laurens Street
238 Laurens Street
240 Laurens Street
242 Laurens Street
302 Laurens Street
304 Laurens Street
306 Laurens Street
402 Laurens Street
404 Laurens Street
406 Laurens Street
408 Laurens Street
410 Laurens Street
412 Laurens Street
414 Laurens Street
416 Laurens Street

701 Lennox Street
703 Lennox Street
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1918 Madison Avenue
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2107 Madison Avenue
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2131 Madison Avenue
2133 Madison Avenue
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2120 Morris Street

2128 Morris Street
2130 Morris Street

90 Mosher Street
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1233 Mount Royal Avenue
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1521 Mount Royal Avenue
1523-35 Mount Royal Avenue
1600 Mount Royal Avenue
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1614-20 Mount Royal Avenue
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1624 Mount Royal Avenue
1626 Mount Royal Avenue

Lot No. 14, Block 356, Bureau of Surveys Plat
600 North Avenue

Rear 600-602 North Avenue; Lot No. 67, Block
3435, Bureau of Surveys Plat

601 W. North Avenue
602 W. North Avenue
603 W. North Avenue
604 W. North Avenue
605-07 W. North Avenue
606 W. North Avenue
608 W. North Avenue
609 W. North Avenue
610 W. North Avenue
611 W. North Avenue

612 W. North Avenue
613-15 W. North Avenue
614 W. North Avenue
616 W. North Avenue
617-19 W. North Avenue
618 W. North Avenue
620 W. North Avenue
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623 W. North Avenue
624 W. North Avenue
625 W. North Avenue
626 W. North Avenue
627 W. North Avenue
628 W. North Avenue
629 W. North Avenue
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634 W. North Avenue
636 W. North Avenue
638 W. North Avenue
640 W. North Avenue
642 W. North Avenue
700 W. North Avenue
701 W. North Avenue
702-04 W. North Avenue
706 W. North Avenue
708 W. North Avenue
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714 W. North Avenue
715 W. North Avenue
716 W. North Avenue
717 W. North Avenue
718 W. North Avenue
719 W. North Avenue
720 W. North Avenue
721 W. North Avenue
722 W. North Avenue

723 W. North Avenue
724 W. North Avenue
725 W. North Avenue
726 W. North Avenue
727 W. North Avenue
728 W. North Avenue
729 W. North Avenue
730 W. North Avenue
731 W. North Avenue
732 W. North Avenue
733 W. North Avenue
734 W. North Avenue
735 W. North Avenue
736 W. North Avenue
737-39 W. North Avenue
738 W. North Avenue
740 W. North Avenue
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809 W. North Avenue
810 W. North Avenue
811 W. North Avenue
812 W. North Avenue
813 W. North Avenue
814 W. North Avenue

815 W. North Avenue
816 W. North Avenue
817 W. North Avenue
818-832 W. North Avenue
819 W. North Avenue
821 W. North Avenue
823 W. North Avenue
825 W. North Avenue
827 W. North Avenue
829 W. North Avenue
831 W. North Avenue
833 W. North Avenue
834-36 W. North Avenue
835 W. North Avenue
837 W. North Avenue
838 W. North Avenue
839-43 W. North Avenue
840 W. North Avenue
842-44 W. North Avenue
845-47 W. North Avenue
846-48 W. North Avenue
850 W. North Avenue
852 W. North Avenue
854 W. North Avenue
856 W. North Avenue
857 W. North Avenue
858 W. North Avenue
859 W. North Avenue
860 W. North Avenue
861-65 W. North Avenue
862 W. North Avenue
864 W. North Avenue
901 W. North Avenue
903 W. North Avenue
905 W. North Avenue
907 W. North Avenue
909 W. North Avenue
911-13 W. North Avenue
915 W. North Avenue
917 W. North Avenue
919-21 W. North Avenue
920 W. North Avenue

922 W. North Avenue
924 W. North Avenue
926 W. North Avenue
928 W. North Avenue
930 W. North Avenue
932 W. North Avenue
1003 W. North Avenue
1005 W. North Avenue
1007 W. North Avenue
1009 W. North Avenue
1011 W. North Avenue
1013-21 W. North Avenue

1745 Park Avenue
1747 Park Avenue
1800 Park Avenue
1802 Park Avenue
1804 Park Avenue
1806 Park Avenue
1808 Park Avenue
1810 Park Avenue
1812 Park Avenue
1814 Park Avenue
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1818 Park Avenue
1820 Park Avenue

303 Presstman Street
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339 Presstman Street

250 Robert Street
252 Robert Street

254 Robert Street
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258 Robert Street
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268 Robert Street
302 Robert Street
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306 Robert Street
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414 Robert Street
416 Robert Street
418 Robert Street
420 Robert Street
422 Robert Street
424 Robert Street

1402 Rutter Street
1404 Rutter Street
1406 Rutter Street
1408 Rutter Street
1410 Rutter Street
1412 Rutter Street
1414 Rutter Street
1416 Rutter Street
1418 Rutter Street
1420 Rutter Street
1422 Rutter Street
1424 Rutter Street
1426 Rutter Street
1623 Rutter Street

600 Watts Street
610 Watts Street
622 Watts Street
624-26 Watts Street
628 Watts Street
630 Watts Street

Rear of 725 Lennox Street; Lot 60, Block 3434,
Bureau of Surveys Plat

861 Watts Street
863 Watts Street
865 Watts Street
867 Watts Street
869 Watts Street
871 Watts Street

140 Wilson Street
142 Wilson Street
144 Wilson Street
146 Wilson Street
148 Wilson Street
150 Wilson Street
152 Wilson Street
154 Wilson Street

SEC. 3. *And be it further ordained,* That it is necessary to acquire by purchase or by condemnation for Urban Renewal purposes the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof in Project I Extension of the Mount Royal-Fremont Urban Renewal Area, bounded generally by McCulloh Street, Presstman Street, Madison Avenue, North Avenue, northerly boundary lines of properties known as 932 North Avenue and 2012 Linden Avenue, Linden Avenue, Ducatel Street, Brookfield Avenue, Lennox Street, Park Avenue, Watts Street, North Avenue, Malster Avenue, Pennsylvania Railroad right-of-way, Dolphin Street, Bolton Street, Mosher Street, Brevard Street, McMechen Street, Park Avenue and Laurens Street; and not specifically mentioned in Section 2 of this Ordinance, as may be necessary and proper to effect the proper conservation (rehabilitation) of Project I Extension of the Mount Royal-Fremont Urban Renewal Area. This shall include:

(a) Any property in the Project Area containing a non-salvable structure, i.e., a structure which in the opinion of the Baltimore Urban Renewal

and Housing Agency cannot be economically rehabilitated;

(b) Any property in the Project Area if 12 months have elapsed since receipt by the owner of such property of the initial notice from the Health Department of Baltimore City, Fire Department of Baltimore City, Bureau of Building Inspection of Baltimore City or Baltimore Urban Renewal and Housing Agency, requiring with respect to such property, compliance with the provisions of any ordinance or regulation of the City of Baltimore or with the additional housing standards as set forth in Section 4 of this Ordinance, and the requirements set forth in said notice have not been met;

(c) Any accessory structure on any property in the Project Area if 12 months have elapsed since receipt by the owner of such structure of the initial notice from the Baltimore Urban Renewal and Housing Agency requiring conservation (rehabilitation) of such structure and the requirements set forth in said notice have not been met;

(d) Any property in the Project Area containing an incompatible use or uses as defined in the Renewal Plan if 12 months have elapsed since receipt by the owner of such property of the initial notice from the Baltimore Urban Renewal and Housing Agency requiring with respect to such property the removal of such incompatible use or uses and the requirements as set forth in said notice have not been met;

(e) Any property in the Project Area containing a non-conforming use or uses if 12 months have elapsed since receipt by the owner of such property of the initial notice from the Baltimore Urban Renewal and Housing Agency requiring the owner of such property to enter into agreement with the Mayor and City Council of Baltimore to subject such property by covenants running with the land to the land uses as specified in Section C.2. of the

Renewal Plan, and the requirements of such notice have not been met.

SEC. 4. *And be it further ordained*, That in addition to the Housing standards found in the Baltimore City Code of 1950, as amended thereafter, and all regulations promulgated pursuant thereto, the following additional housing standards are herewith established for Project I Extension of the Mount Royal-Fremont Urban Renewal Area.

(a) Every structure with any combination of three or more residential or nonresidential units shall be provided with heating facilities capable of maintaining a temperature of at least 70 degrees Fahrenheit in sleeping, dining and living rooms, bath and toilet rooms, dressing and locker rooms, lobbies, operating offices and hallways, when the outside temperature is zero; and at least 55 degrees Fahrenheit in all other portions of such building. Every owner or lessor of every structure containing any combination of three or more residential or nonresidential units, except where the heating facilities of any residential unit or nonresidential unit are under the exclusive control of its respective occupant, and every owner or operator of a rooming house, lodging house or hotel shall supply heat to every habitable room so as to provide a temperature of 70 degrees Fahrenheit three feet from the floor at all times during the period from October 1 to May 1, except on those calendar days when the minimum outside temperature exceeds 60 degrees Fahrenheit. Nothing in this sub-section shall be construed to permit the use of an unvented, open flame gas heater.

(b) Every habitable room of every structure shall contain at least two separate duplex convenience electrical outlets except that any room with a perimeter of over 50 feet shall contain at least three separate duplex convenience electrical outlets. Every toilet room, bathroom, laundry room, furnace room, and public hall shall contain at least one supplied ceiling or wall-type electric light fix-

ture and necessary outlets for such appliances as are used therein. Outlets shall be so located as reasonably to provide service to appliances in different parts of the room.

(c) No room in any basement or cellar shall be occupied as a habitable room unless 70% of the required window area for light and ventilation as set forth in Regulation 6 of "The Rules and Regulations Covering the Hygiene of Housing" of the Baltimore City Health Department shall be above the ground level.

(d) All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullions shall be replaced.

(e) Work performed in complying with the Renewal Plan for Project I Extension of the Mount Royal-Fremont Urban Renewal Area, including but not limited to the requirements of the Health Department; Bureau of Building Inspection; Plumbing Division of the Health Department; Zoning Division of the Bureau of Building Inspection; Mechanical and Electrical Inspection Division of the Bureau of Building Inspection and Fire Department in respect to minimum housing standards, shall be done in a workmanlike manner and according to accepted standards of the building trades.

(f) Every structure, including accessory structures, and every residential unit and every non-residential unit therein and every part thereof, including fences, shall be maintained in good repair by the owner, executor, administrator, trustee, guardian, or agent. Good repair shall include keeping properly painted all interior and exterior surfaces which are painted in normal practice. Any flaking paint shall be removed. All lead base paint shall be removed from interior surfaces before repainting.

(g) All of the provisions of the Baltimore City Code of 1950, as amended thereafter, and all regu-

lations promulgated pursuant thereto and all of the provisions of (a) to (f) above, which apply to the exterior of a property, shall be complied with whether the property is occupied or vacant.

SEC. 5. *And be it further ordained,* That any person violating any of the provisions of Section 4 of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine not exceeding One Hundred Dollars (\$100.00) and that each day's violation shall constitute a separate offense.

SEC. 6. *And be it further ordained,* That the Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this Ordinance the fee simple interest or any lesser interest in and to the properties or portions thereof hereinabove mentioned. If the said Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are unable to agree with the owner or owners on the purchase price for said properties or portions thereof, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest or any lesser interest in and to said properties or portions thereof.

SEC. 7. *And be it further ordained,* That in selling or otherwise disposing of property in the Mount Royal-Fremont Project I Extension Area, the Bal-

timore Urban Renewal and Housing Agency shall give preference under procedures established by it to developers who agree in writing not to discriminate in the sale, lease, use or occupancy of the property developed by them against any person because of race, creed or national origin.

SEC. 8. *And be it further ordained*, That in selling or otherwise disposing of Dispositions Lots Nos. 1, 12, 15 and 18 in Mount Royal-Fremont Project I Extension Area the Baltimore Urban Renewal and Housing Agency shall give preference under procedures developed by it to businesses located, as of the date of approval of this Ordinance, in properties listed in Section 2 of this Ordinance to be acquired.

SEC. 9. *And be it further ordained*, That the approval of the Renewal Plan for Project I Extension of the Mount Royal-Fremont Urban Renewal Area by this Ordinance shall not be construed as an enactment of such amendments to the zoning ordinance as are proposed in the said Plan.

SEC. 10. *And be it further ordained*, That in whatever respect, if any, the Renewal Plan approved hereby for Project I Extension of the Mount Royal-Fremont Urban Renewal Area, may not meet the requirements as to the content of a Renewal Plan or the procedure for the preparation, adoption and approval of Renewal Plans as provided in Ordinance No. 692, the said requirements are hereby waived and the Renewal Plan approved hereby is exempted therefrom.

SEC. 11. *And be it further ordained*, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained

the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part or the application thereof so held invalid.

SEC. 12. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1595

(City Council 2132)

An ordinance to add new Sections 29, 30, 31, and 32 to Article 1 of the Baltimore City Code (1950 Edition), title "Mayor and City Council," to follow immediately after Section 28 thereof, and to be under the new sub-title "Commission on the Aging," providing for the creation of a Baltimore City Coordinating Commission on the Problems of the Aging, providing for its members and their tenure, relating to the powers and duties of the Commission, providing for an executive secretary and other employees thereof, and relating generally to this Commission and to aging persons in the City of Baltimore.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Sections 29, 30, 31, and 32 be and they are hereby added to Article 1 of the Baltimore City Code (1950 Edition), title "Mayor and City Council," to follow immediately after Section 28 thereof, to be under the new sub-title "Commission on the Aging," and to read as follows:

Commission on the Aging

29. It is the intent of the Mayor and City Council of Baltimore in the enactment of this sub-title to

provide services for the aged, because the rapidly increasing population of older persons poses problems beyond the capacity of the individual, the family, or private philanthropy to solve. The Mayor and City Council of Baltimore recognize that this complex, burdensome, and unusual pattern of problems faced by elderly persons extends beyond the assistance that can be provided by any existing municipal agency. These problems are financial, social, educational and organizational; they involve questions of employment, housing, medical services, and recreational activities for the older person.

With the provisions of this sub-title the Mayor and City Council of Baltimore attempt to provide the broadest, most fruitful approach to solutions of evergrowing problems pertaining to the aged, as well as to give leadership and information to other interested agencies in the City of Baltimore.

30. (a) There is hereby created a Commission to be known as the Baltimore Coordinating Commission on Problems of the Aging. The Commission shall consist of twenty (20) members, sixteen (16) of whom shall be appointed by the Mayor as hereinafter provided. Of the sixteen (16) members appointed by the Mayor, two shall be members of the City Council of Baltimore, one a representative from Baltimore City of the Medical and Chirurgical Faculty of Maryland, one a representative of the Baltimore City Medical Society, one a representative of labor, one a representative of industry, one member shall be specially knowledgeable in research, one member shall be associated with the work of charitable organizations, two members shall be selected because of their interest in problems of the aging, and six members shall be selected because of their general interest in such subjects as housing, religion, charitable matters and the public good. Of the said sixteen members first appointed, four shall be appointed for terms of three years, four shall be appointed for terms of four years, four shall be appointed for terms of five years, and four shall be appointed for terms of six years. Thereafter, as these initial ap-

pointments expire, their successors shall be appointed for terms of six years each. The Mayor shall designate one of these sixteen members to be chairman of the Commission. In case of any vacancy among these sixteen members, the Mayor shall appoint a successor from the same category to serve for the remainder of the unexpired term. All members of the Commission are eligible for reappointment. The remaining four members of the Commission, ex officio, shall be the Director of the Baltimore City Department of Public Welfare, the Baltimore City Superintendent of Schools, the Executive head of the Baltimore Urban Renewal and Housing Agency, and the Superintendent of the Baltimore City Bureau of Recreation.

(b) The members of the Commission shall not receive any compensation for their services but shall be paid their reasonably necessary expenses incurred in the performance of their duties.

(c) Any appointive member of the Commission who without good cause misses or fails to attend three consecutive meetings of the Commission shall be deemed to have resigned or refused his membership. When the Mayor determines there is a vacancy on the Commission under the provisions of this section, he shall proceed to fill it for the unexpired term, by appointing thereto a person with the qualifications specified in this section.

31. The Commission shall appoint a properly qualified person as Executive Secretary of the Commission, who shall perform such duties as shall be designated by the Commission. The Executive Secretary shall be subject to the provisions of the Classified Service of the City of Baltimore. He shall receive such salary as shall be provided in the Ordinance of Estimates from time to time. The Executive Secretary may be authorized to employ such assistants as shall be necessary to carry out his duties, who also shall be members of the Classified Service.

32 (a) The Commission shall have authority and

power to make such surveys and studies concerning the problems of the aging as it may determine, to promote in every manner possible the welfare and the betterment of the aged people of this City. In making such studies and surveys, it is authorized to expend any funds which may be provided for in the Ordinance of Estimates or otherwise made available to the Commission.

The Commission shall cooperate with and receive the cooperation of other municipal agencies, departments, boards, and commissions in effectuating the purposes of this sub-title.

(b) It shall be the duty of the Commission to submit an annual report to the Mayor and City Council of Baltimore on or before January 1st of each year, setting forth the results of its studies and its recommendations, if any, for legislation.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1596

(City Council 2167)

An ordinance to repeal Ordinance 944, approved October 25, 1961, which ordinance concerns the zoning classification of the property lying east of Washington Boulevard, between Raymond Street and Breitwert Avenue; and to amend Sheet Nos. 64 and 74 of the Use District and Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use, D-40

Height and Area District to the Industrial Use, B-1½ Height and Area District, the property lying east of Washington Boulevard between Raymond Street and Breitwert Avenue, as outlined in red on the four plats accompanying this ordinance; and by changing from the Residential Use District to the Industrial Use District the property lying east of Washington Boulevard and west of Annapolis Avenue, between Raymond Street and Breitwert Avenue, as outlined in blue on the four plats accompanying this ordinance; this ordinance being necessary in order to fix a definite zoning classification for this property, the original classification having been declared invalid in a court decision.

WHEREAS, Ordinance 944, approved October 25, 1961, concerns the zoning classification of property lying east of Washington Boulevard, between Raymond Street and Breitwert Avenue; and

WHEREAS, The title and the text of this ordinance mention only a change in zoning classification as outlined in red on the plats accompanying the ordinance; and

WHEREAS, the plats themselves show an area outlined in red and also an area outlined in blue, which was meant to have a change in zoning classification; and

WHEREAS, because of the omission in the title and text of the ordinance of any mention of the area outlined in blue, doubt has arisen concerning its legal effect; and

WHEREAS, the Law Department of Baltimore City has advised that the ordinance should be re-submitted and re-passed; now, therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance 944, approved October 25, 1961, be and it is hereby repealed; and that Sheet Nos. 64 and 74 of the Use District and Height and Area District Map of Article 40 of the

Baltimore City Code (1950 edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and they are hereby amended by changing from the Residential Use, D-40 Height and Area District to the Industrial Use, B-1½ Height and Area District, the property lying east of Washington Boulevard between Raymond Street and Breitwert Avenue, as outlined in red on the four plats accompanying this ordinance; and by changing from the Residential Use District to the Industrial Use District the property lying east of Washington Boulevard and west of Annapolis Avenue, between Raymond Street and Breitwert Avenue, as outlined in blue on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this ordinance is necessary in order to fix a definite zoning classification for this property, the original having been declared invalid.

SEC. 4. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1597

(City Council 2171)

An ordinance to authorize the establishment, maintenance and regulation of an eating and drinking establishment on a portion of the premises known generally as 6004 Belair Road, as outlined in red on the plats accompanying this ordinance, this ordinance being ordained under the provisions of Sections 37 and 37A of Article 40 of the Baltimore City Code (1950 Edition), as respectively amended and ordained by Ordinance 938, approved July 28, 1961, all as more particularly described herein.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That pursuant to the requirements of Sections 37 and 37A of Article 40 of the Baltimore City Code (1950 Edition), as said sections, respectively, were amended and ordained by Ordinance 938, approved July 28, 1961, the Mayor and City Council of Baltimore consent to the establishment, maintenance and regulation of an eating and drinking establishment, more generally known as a drive-in restaurant, on the premises known generally as 6004 Belair Road. This authorization applies only to that portion of the said premises which presently is classified under a First Commercial Zoning District, as outlined in red on the plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1598

(City Council 2188)

An ordinance to condemn and open, a portion of Lowman Street, 20 feet wide, along the southeast

side thereof, from the northeast side of former Marriott Street northeasterly 227.25 feet to the Baltimore and Ohio Railroad right-of-way in accordance with a plat thereof numbered 291-A-11, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, a portion of Lowman Street, 20 feet wide, along the southeast side thereof, from the northeast side of former Marriott Street northeasterly 227.25 feet to the Baltimore and Ohio Railroad Right-of-way, in accordance with a plat thereof numbered 291-A-11, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-sixth (26th) day of September, 1962, and now on file in said office; said street is numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the southeast side of Lowman Street, 40 feet wide, and the northeast side of former Marriott Street, as condemned and closed under Ordinance No. 1164, approved April 6, 1962, said point being distant 153.0 feet northwesterly from the former northwest corner of said Marriott Street and Decatur Street as closed under said Ordinance and running thence binding on the northeast side of said Marriott Street northwesterly 20.00 feet to intersect the center line of said Lowman Street; thence binding on the center line of said Lowman Street northeasterly 212.50 feet to intersect the southeast side of the Baltimore and Ohio Railroad Company's Right-of-way, there situate; thence binding on the southeast side of said Railroad Right-of-way northeasterly, by a line curving to the right, with a 1179.40 foot radius, the distance of 36.50 feet to intersect the southeast side of said Lowman Street and thence binding on the southeast side of

said Lowman Street southwesterly 242.00 feet to the place of beginning.

The said Lowman Street as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-sixth (26th) day of September in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Lowman Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1599

(City Council 2189)

An ordinance to condemn and close Lowman Street, 40 feet wide, from the northeast side of former Marriott Street northeasterly 212.50 feet to the Baltimore and Ohio Railroad right-of-way in accordance with a plat thereof numbered 291-A-11A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assess-

ments, on the Twenty-seventh (27th) day of September, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Lowman Street, 40 feet wide, from the northeast side of former Marriott Street northeasterly 212.50 feet to the Baltimore and Ohio Railroad right-of-way, in accordance with a plat thereof numbered 291-A-11A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-seventh (27th) day of September, 1962, and now on file in said office; said street is numbered 1 on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the southeast side of Lowman Street, 40 feet wide, and the northeast side of former Marriott Street, as condemned and closed under Ordinance No. 1164, approved April 6, 1962, said point being distant 153.0 feet northwesterly from the former northwest corner of said Marriott Street and Decatur Street as closed under said Ordinance and running thence binding on the northeast side of said Marriott Street northwesterly 40.00 feet to intersect the northwest side of said Lowman Street; thence binding on the northwest side of said Lowman Street northeasterly 185.50 feet to intersect the southeast side of the Baltimore and Ohio Railroad Company's right-of-way, there situate; thence binding on the southeast side of said railroad right-of-way northeasterly, by a line curving to the right, with a 1179.40 foot radius, the distance of 67.50 feet to intersect the southeast side of said Lowman Street and thence binding on the southeast side of said Lowman Street southwesterly 242.00 feet to the place of beginning.

The said Lowman Street as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-seventh (27th)

day of September in the year 1962, and is now on file in the said office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair,

alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Lowman Street and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition), and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1600

(City Council 2190)

An ordinance granting permission to Reformation Lutheran Church for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the west side of Loch Raven Boulevard between Gittings Avenue and Walker Avenue, and known generally as 6220 Loch Raven Boulevard, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission be and the same is hereby granted to Reformation Lutheran Church for the establishment, maintenance and operation of an open area for the parking of motor vehicles, on the property on the west side of Loch Raven Boulevard between Gittings Avenue and Walker Avenue, and known generally as 6220 Loch Raven Boulevard, as outlined in red on the four plats accompanying this ordinance, under the provisions of Section 17 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said Article was revised by Ordinance No. 711, approved May 21, 1953.

SEC. 2. *And be it further ordained*, That the said parking area shall be maintained with a hard or semi-hard dustless surface on which motor vehicles are to be parked. No repair facilities and no sale of gasoline or inflammable liquids shall be permitted thereon and no commercial activities of any kind shall be conducted thereon. The entrances and exits on said area shall be at such location or locations as shall be approved by the Commissioner of Transit and Traffic. The illumination of said parking area, if any, shall be by lights dimmed or focused so as to prevent them from being an annoyance to nearby residents. The location and type of such lights, if any, shall be subject to the approval of the Building Inspection Engineer. All construction work and installations shall be done in accordance with the laws and ordinances applicable in Baltimore City.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1601

(City Council 2302)

An ordinance to repeal Ordinance 1590, approved March 20, 1951, and to repeal Ordinance 1425, approved May 2, 1955, said ordinances granting permission to Daniel L. Long, Jr., and Emily Cook Long, his wife, to conduct and operate a convalescent and nursing home on the premises known generally as 115 East Melrose Avenue; and to give the assent of the Mayor and City Council of Baltimore to the establishment and operation of a convalescent and nursing home on the said premises; this ordinance being ordained in order to clarify and modernize the prior grant of permission for the conduct and operation of this convalescent and nursing home, under the provisions of Section 1 of Article 13 of the Baltimore City Code.

Whereas, Ordinance 1590, approved March 20, 1951, gave permission for the construction and operation of a convalescent and nursing home on the premises known generally as 115 East Melrose Avenue; and

Whereas, Ordinance 1425, approved May 2, 1955, supplemented the original grant of permission in order to permit the construction and operation of an annex or addition to the nursing home then being conducted under said Ordinance 1590; and

Whereas, This convalescent and nursing home is still being conducted and operated without change; and it is desirable to clarify the ordinance granting such permission and to rephrase the grant of permission according to the terms of recent ordinances passed for such purpose throughout the City; now, therefore

SECTION 1. *Be it Ordained by the Mayor and City Council of Baltimore, That Ordinance 1590, approved March 20, 1951, be and it is hereby repealed;*

and that Ordinance 1425, approved May 2, 1955, be and it is hereby repealed.

SEC. 2. *And be it further ordained,* That in compliance with the requirements of Section 1 of Article 13 of the Baltimore City Code (1950 Edition), the assent of the Mayor and City Council of Baltimore is given to the establishment and operation of a convalescent and nursing home on the premises known generally as 115 East Melrose Avenue. All ordinances and rules and regulations of the Mayor and City Council of Baltimore shall be complied with in the conduct and operation of this nursing home.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1602

(City Council 2372)

An ordinance authorizing the acquisition by purchase or by condemnation by the Mayor and City Council of Baltimore for public school purposes of the fee simple title to all those pieces or parcels of land, with the improvements thereon, situate in Baltimore City, within the perimeter, beginning at the intersection of the west side of Guilford Avenue and the north side of Federal Street, extending westerly on Federal Street to the east side of a 10-foot alley in the rear of 1601 to 1643 N. Calvert Street, extending northerly along said alley to the south side of Lanvale Street, easterly on Lanvale Street, to the east side of Carlos Terrace, southerly along Carlos Terrace 80 feet to

the north outline of 1630 Guilford Avenue, easterly along said north outline 153 feet to Guilford Avenue and southerly along Guilford Avenue to the place of beginning.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or by condemnation for public school purposes the fee simple interest in and to the pieces or parcels of land, with the improvements thereon, situate in Baltimore City, Maryland, described as follows:

Beginning for the same at the point formed by the intersection of the west side of Guilford Avenue and the north side of Federal Street, as now laid out and running thence westerly binding on the north side of said Federal Street, 233.82 feet to intersect the east side of a 10-foot alley, laid out parallel with and distant 83.83 feet easterly from the east side of Calvert Street as now laid out; thence northerly, binding on the east side of said 10-foot alley 320.00 feet to intersect the south side of Lanvale Street, as now laid out; thence easterly, binding on the south side of said Lanvale Street, 80.0 feet to intersect the east side of Carlos Terrace, 20 feet wide; thence southerly binding on the east side of said Carlos Terrace, 80.0 feet to intersect the division line between No. 1634 and No. 1630 Guilford Avenue; thence easterly binding on said division line, 153.82 feet to intersect the west side of said Guilford Avenue and thence southerly, binding on the west side of said Guilford Avenue, 240.00 feet to the place of beginning.

SEC. 2. *Be it further ordained*, That the Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore

and for the purposes described in this ordinance the fee simple interest in and to the said pieces or parcels of land, with the improvements thereupon. If the said Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are unable to agree with the owner or owners on the purchase price for said pieces or parcels of land and the improvements thereon, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest in and to said pieces or parcels of land herein described.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1603

(City Council 2377)

An ordinance to condemn and open a portion of St. Georges Avenue, varying in width from 25.16 feet to 0.0 feet, along the northeast side thereof from 43rd Street southeasterly 128.79 feet, in accordance with a plat thereof numbered 287-B-6A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the nineteenth (19th) day of December, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of

Assessments be, and they are hereby authorized and directed to condemn and open a portion of St. Georges Avenue, varying in width from 25.16 feet to 0.0 feet along the northeast side thereof from 43rd Street southeasterly 128.79 feet, in accordance with a plat thereof numbered 287-B-6A, prepared by the Bureau of Surveys and filed in the Office of the Department of Assessments, on the Nineteenth (19th) day of December, 1962, and now on file in said office; the portion of said Avenue is numbered one on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the southeast side of 43rd Street, as now laid out, and the northeast side of St. Georges Avenue, 40 feet wide, and running thence South $20^{\circ}-36'-50''$ East, binding on the northeast side of said St. Georges Avenue, 128.79 feet to intersect the northeast side of St. Georges Avenue, as authorized 80 feet wide, under Ordinance No. 498, approved July 14, 1928; thence North $31^{\circ}-40'-00''$ West, binding on the northeast side of said last mentioned St. Georges Avenue, 131.22 feet to intersect the southeast side of said 43rd Street and thence North $69^{\circ}-23'-10''$ East, binding on the southeast side of said 43rd Street, 25.16 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said portion of St. Georges Avenue as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the nineteenth (19th) day of December in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said portion of St. Georges Avenue and the proceedings and rights of all parties interested or affected there-

by, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1604

(City Council 2378)

An ordinance to condemn and close a portion of St. Georges Avenue, varying in width from 25.16 feet to 0.0 feet, along the northeast side thereof from 43rd Street southeasterly 128.79 feet, in accordance with a plat thereof numbered 287-B-6B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twentieth (20th) day of December, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be and they are hereby authorized and directed to condemn and close a portion of St. Georges Avenue, varying in width from 25.16 feet to 0.0 feet along the northeast side thereof from 43rd Street southeasterly 128.79 feet, in accordance with a plat thereof numbered 287-B-6B, prepared by the Bureau of Surveys and filed in the Office of the Department of Assessments, on the Twentieth (20th) day of December, 1962, and now on file in said office;

the portion of said Avenue is numbered one on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the southeast side of 43rd Street, as now laid out, and the northeast side of St. Georges Avenue, 40 feet wide, and running thence South $20^{\circ}-36'-50''$ East, binding on the northeast side of said St. Georges Avenue, 128.79 feet to intersect the northeast side of St. Georges Avenue, as authorized 80 feet wide, under Ordinance No. 498, approved July 14, 1928; thence North $31^{\circ}-40'-00''$ West, binding on the northeast side of said last mentioned St. Georges Avenue, 131.22 feet to intersect the southeast side of said 43rd Street and thence North $69^{\circ}-23'-10''$ East, binding on the southeast side of said 43rd Street, 25.16 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said portion of St. Georges Avenue as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twentieth (20th) day of December in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges

of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this Ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That after said highway or highways shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Highways Engineer of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. *And be it further ordained,* That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. *And be it further ordained,* That the proceedings of said Department of Assessments, with

reference to the condemnation and closing of said portion of St. Georges Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1605

(City Council 2445)

An ordinance to add Section 94(16a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 94(16) thereof, making the first alley south of Pelham Avenue, from Woodstock Avenue to Parklawn Avenue, a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 94(16a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 94(16) thereof, and to read as follows:*

94.

(16a) The first alley south of Pelham Avenue from Woodstock Avenue to Parklawn Avenue, is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in an easterly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1606

(City Council 2446)

An ordinance to repeal Section 112(6a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said section making Sefton Avenue from Hamilton Avenue to White Avenue a one-way street for vehicular traffic; and to ordain a new Section 112(6a) in lieu thereof, to stand in the place of the section so repealed, making Sefton Avenue from Hamilton Avenue to Bayonne Avenue a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 112(6a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," be and it is hereby repealed; and that new Section 112(6a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

112.

(6a) Sefton Avenue, from Hamilton Avenue to Bayonne Avenue, is a one-way street for vehicular

traffic and shall be used by such traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1607

(City Council 2447)

An ordinance to repeal Sections 121(9a-6) and 121(9a-7) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 952, approved June 7, 1957, and to ordain in lieu thereof a new Section 121(9a-6), to stand in the place of the sections so repealed, revising the provisions concerning the stopping and parking of vehicles on the east side of Calvert Street, between Madison Street and Mt. Royal Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sections 121(9a-6) and 121(9a-7) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said sections were ordained by Ordinance 952, approved June 7, 1957, be and they are hereby repealed; and that a new Section 121(9a-6) be and it is hereby ordained in lieu thereof, to stand in the place of the sections so repealed, and to read as follows:

121.

(9a-6) No vehicle is permitted to be stopped between the hours of 7:30 A.M. and 10 A.M. and the hours of 4 P.M. and 6:30 P.M. on any day on the east

side of Calvert Street, between Madison Street and Mt. Royal Avenue; and between the hours of 10 A.M. and 4 P.M. on any day no vehicle is permitted to be parked on this portion of the east side of Calvert Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1608

(City Council 2448)

An ordinance to repeal Section 131(53b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," and to ordain in lieu thereof new Sections 131(53b) and 131(53c), to stand in the place of the section so repealed, revising the provisions concerning the stopping of vehicles on Monroe Street, between Edmondson Avenue and Wilkens Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 131(53b) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed; and that new Sections 131(53b) and 131(53c) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

131.

(53b) No vehicle is permitted to stop between the hours of 7 A. M. and 9 A. M. and the hours of 4 P. M. and 6 P. M. on any day on the east side of Monroe Street, between Edmondson Avenue and Mulberry Street.

(53c) No vehicle is permitted to stop between the hours of 4 P. M. and 6 P. M. on any day on the east side of Monroe Street between Mulberry Street and Wilkens Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1609

(City Council 2460)

An ordinance to add Section 164 (1a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of North Carey Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of North Carey Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 164 (1a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

164.

(1a) North Carey Street, both sides, between Baltimore Street and Fayette Street, between the hours of 9 A. M. and 6 P. M.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1610

(City Council 2503)

An ordinance to add Section 94(1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 94 thereof, making Academy Avenue from Nome Avenue to Lynview Avenue a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 94(1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 94 thereof, and to read as follows:

94(1/2).

Academy Avenue from Nome Avenue to Lynview Avenue is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1611

(City Council 2504)

An ordinance to repeal Section 111 (7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said section was ordained by Ordinance 202, approved January 5, 1960, and to ordain a new Section 111 (7a) in lieu thereof, to stand in the place of the section so repealed, revising the one-way street provisions applicable to the second alley westerly from Reisterstown Road, between the first alley northerly from Amos Avenue and the intersection of Amos Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 111 (7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said Section was ordained by Ordinance 202, approved January 5, 1960, be and it is hereby repealed; and that a new Section 111 (7a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

111.

(7a) The second alley westerly from Reisterstown Road, between the first alley northerly from Amos Avenue and the intersection of Amos Avenue, is a one-way street for vehicular traffic and shall be used by such traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1612

(City Council 2505)

An ordinance to repeal Section 111 (7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said section was ordained by Ordinance 203, approved January 5, 1960, and to ordain a new Section 111 (7a) in lieu thereof, to stand in the place of the section so repealed, revising the one-way street provisions applicable to the first alley westerly from Reisterstown Road, from Amos Avenue to the first alley northerly therefrom.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 111 (7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," as said section was ordained by Ordinance 203, approved January 5, 1960, be and it is hereby repealed; and that a new Section 111 (7a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:*

111.

(7a) The first alley westerly from Reisterstown Road, from Amos Avenue to the first alley northerly therefrom, is a one-way street for vehicular traffic and shall be used by such traffic in a southerly direction only.

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1613**(City Council 2506)**

An ordinance to add a new Section 141 (30a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 141 (30) thereof, prohibiting the parking of vehicles on the southerly side of Western Run Drive between Taney Road and the first driveway westerly from the premises known generally as 5800 Western Run Drive.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 141 (30a) be and the same is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 141 (30) thereof, and to read as follows:

141.

(30a) No vehicle may be parked at any time on the southerly side of Western Run Drive between Taney Road and the first driveway westerly from the premises known generally as 5800 Western Run Drive.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1614**(City Council 2507)**

An ordinance to repeal Section 141 (39) to Article 38 of the Baltimore City Code (1950 Edition),

title "Traffic Regulations," subtitle "Parking," this section prohibiting the standing of vehicles on a certain portion of the south side of White Avenue, 500 feet west of Belair Road.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 141 (39) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and the same is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1615

(City Council 2508)

An ordinance to add Section 169 (4) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Hollins Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Hollins Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 169 (4) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

169.

(4) Hollins Street, both sides, from Arlington Avenue to Mt. Clare Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1616

(City Council 2509)

An ordinance to add Section 167 (4) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Front Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Front Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 167 (4) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

167.

(4) Front Street, west side, from Gay Street to Hillen Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1617

(City Council 2510)

An ordinance to add a new Section 45P (1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Impounding," to be placed immediately prior to Section 45P (1) thereof, as said section was ordained by Ordinance 1306, approved March 29, 1958, adding the provisions of the so-called "Impounding Ordinance" to a portion of Paca Street, and thereby providing for the impounding of motor vehicles which are parked illegally on said portion of Paca Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a new Section 45P (1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Impounding," to be placed immediately prior to Section 45P (1) thereof, as said section was ordained by Ordinance 1306, approved March 29, 1958, and to read as follows:

45P.

(1/2) Paca Street, both sides, from Camden Street to McCulloh Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1618
(City Council 2511)

An ordinance to add a new Section 45G (1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Impounding," to be placed immediately prior to Section 45G (1) thereof, as said section was ordained by Ordinance 1306, approved March 29, 1958, adding the provisions of the so-called "Impounding Ordinance" to a portion of Greene Street, and thereby providing for the impounding of motor vehicles which are parked illegally on said portion of Greene Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 45G (1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Impounding," to be placed immediately prior to Section 45G (1) thereof, as said section was ordained by Ordinance 1306, approved March 29, 1958, and to read as follows:

45G.

(1/2) Greene Street, both sides, between Franklin Street and Washington Boulevard.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1619
(City Council 2512)

An ordinance to add Section 105 (3a) to Article 38 of the Baltimore City Code (1950 Edition),

title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 105 (3) thereof, making Lamont Avenue, from Gay Street to Eager Street a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 105 (3a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 105 (3) thereof, and to read as follows:

105.

(3a) Lamont Avenue, from Gay Street to Eager Street, is hereby declared to be a one-way street for **vehicular traffic**, and shall be used by said traffic in a easterly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1620

(City Council 743)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the former bed of French Street, extending easterly from the east side of Harford Avenue to the west side of Hillen and Ensor Streets, including therein a portion of the former bed of Apple or Jew Alley. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the pieces or parcels of land situate in Baltimore City, Maryland, and described as follows:

Comprising the former bed of French Street, varying in width from 10 feet to 30 feet, and extending easterly from the east side of Harford Avenue to Hillen and Ensor Streets, including therein a portion of the former bed of Apple or Jew Alley, and being more particularly described and shown on Survey Plat numbered 271-A-12B, on file in the Office of the Director of Assessments of Baltimore City.

Said property being more particularly described in Ordinance No. 88, approved November 16, 1959.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no Deed or Deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1621

(City Council 1890)

An ordinance authorizing the Mayor and City Council of Baltimore to surrender and release to the owner or owners of the land within the right-of-

way, 20 feet wide, extending westerly and North-erly through lands situate south of Woodbrook Lane. Said right-of-way being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore be and it is hereby authorized to execute and deliver unto the owner or owners of the land within the 20-foot right-of-way located south of Woodbrook Lane in Baltimore County, Maryland, heretofore granted to the Mayor and City Council of Baltimore by instrument, dated June 7, 1950, and recorded among the Land Records of Baltimore County in Liber T.B.S. 1849, folio 283, by Louisa J. Cooper, et al.

No municipal utilities have been constructed in said right-of-way.

Said right-of-way being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1622

(City Council 2076)

An ordinance to amend Sheet No. 34 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the Restricted First Commercial Use District,

the property on the southwest side of Reisterstown Road, northwest from Elgin Avenue, as outlined in red on the four plats accompanying this ordinance; such change in zoning classification to be for the purpose of constructing and maintaining a one-story office building for an insurance company with accessory parking, according to the development plans filed with and incorporated in this ordinance and in subject to the condition that failure to establish, or to be actively in the process of establishing the development in accordance with said plans and conditions within eighteen months after the date of approval of this ordinance, and that failure to maintain the land, buildings and uses in substantial conformity with said plans and conditions, may be grounds for the reclassification of the said property, all as provided in Ordinance 940 of the Mayor and City Council of Baltimore, approved July 28, 1961.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 34 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the Restricted First Commercial Use District, the property on the southwest side of Reisterstown Road, northwest from Elgin Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance

and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this change in zoning classification is for constructing and maintaining a one-story office building for an insurance company with accessory parking, such construction and maintenance are to be in accordance with the development plans filed with this ordinance, which are incorporated by reference. The ordaining of this ordinance also is subject to the condition that failure to establish, or to be actively in the process of establishing the development in accordance with said plans and conditions within eighteen months after the date of approval of this ordinance, and that failure to maintain the land, buildings and uses in substantial conformity with said plans and conditions, may be grounds for the reclassification of the said property, all as provided in Ordinance 940 of the Mayor and City Council of Baltimore, approved July 28, 1961.

SEC. 4. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1623

(City Council 2468)

An ordinance to add new Section 120(24a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 120(24) thereof,

regulating the parking of vehicles on the west side of Bentalou Street, between Lexington Street and Penrose Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That new Section 120(24a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 120(24) thereof, and to read as follows:

120.

(24a) It is unlawful to park a motor vehicle longer than two hours continuously between the hours of 8 A.M. and 6 P.M. on any day on the west side of Bentalou Street between Lexington Street and Penrose Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1624

(City Council 2469)

An ordinance to add Section 181(5a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Twenty-fourth Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Twenty-fourth Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 181(5a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

181.

(5a) Twenty-fourth Street, north side, from Hampden Avenue to Huntingdon Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1625

(City Council 2470)

An ordinance to add Section 180(7) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of South Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of South Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 180(7) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular

sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

180.

(7) South Street, east side, from Lombard Street to Pratt Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1626

(City Council 2471)

An ordinance to add Section 162(1) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Albemarle Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Albemarle Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 162(1) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

162.

(1) Albemarle Street, west side, from Lombard Street to Granby Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1627

(City Council 2472)

An ordinance to add Section 163(1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Baltimore Street to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Baltimore Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 163(1/2) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

163.

(1/2) Baltimore Street, north side, from Eaton Street to a point approximately 392 feet easterly therefrom.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1628

(City Council 2473)

An ordinance to add a new Section 130(2a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130(2) thereof, reserving for certain physicians the exclusive right of parking on the northerly side of Lafayette Avenue, between Park Avenue and John Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That a new Section 130(2a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," to follow immediately after Section 130(2) thereof, and to read as follows:

130.

(2a) Physicians on the staff of or making calls at Women's Hospital have the exclusive right of parking motor vehicles on the northerly side of Lafayette Avenue between Park Avenue and John Street. Each such vehicle shall have affixed thereto a proper identification issued by the Police Department of Baltimore City on the approval of the Commissioner of Transit and Traffic. Other than as provided in this subsection it is unlawful for any person to park a motor vehicle on this portion of the northerly side of this portion of Lafayette Avenue.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1629

(City Council 2474)

An ordinance to add Section 163(2a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Battery Avenue to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Battery Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 163(2a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in this subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

163.

(2a) Battery Avenue, west side, from York Street to the Southern Building Line of 600 Battery Avenue.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1630

(City Council 2483)

An ordinance disclaiming any public use in and abandoning a dedication, if any, of that area of

ground, 40 feet wide, situate in Baltimore City, extending from the westerly side of Park Heights Avenue westerly 308 feet, more or less, to a 15-foot alley, shown on city block plats as the bed of Trainor Avenue.

WHEREAS, The City Solicitor of Baltimore City has ruled that the fee simple title to that area of ground, 40 feet wide, situate in Baltimore City between the westerly side of Park Heights Avenue westerly 308 feet, more or less, to the east side of a 15-foot alley, referred to on City Block Plats as Trainor Avenue is in private ownership, that no dedication of any part of said area has ever been accepted by said municipality, nor has said area or any part thereof ever been opened on the ground or used for public highway purposes; nor has the municipality acquired title thereto as authorized under Ordinance No. 402, approved May 21, 1928, the condemnation proceedings partially conducted under the authority of said ordinance not having been completed or damages paid in respect to the title to the land within said area; and

WHEREAS, An acceptance of a dedication or the acquisition of said land as a public highway would serve no public purpose and would burden the municipality with the needless expense of maintaining said area as a public highway; and

WHEREAS, It is deemed desirable to definitely establish by municipal ordinance the status of said area.

THEREFORE:

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That a dedication of said area, if any there be, is hereby refused and surrendered and that a use, if any there be, in said area as a public highway, is hereby abandoned and surrendered, and said area of ground is hereby declared to be private property, not subject to any public use

whatsoever, and that any action heretofore taken is hereby declared a nullity and no future action in respect to the authority granted under said ordinance shall be taken in respect to the acquisition of the land within said area for public highway use.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1631

(City Council 2486)

An ordinance authorizing the City Comptroller to sell at either public or private sale in accordance with Section 169 of the City Charter all of the fee simple interest of the Mayor and City Council of Baltimore in and to the parcel of ground situate in Baltimore City, Maryland, formerly comprising the bed of Windsor Avenue 66 feet wide extending from Warwick Avenue westerly 177.09 feet to the end thereof, reserving thereout in favor of the Mayor and City Council of Baltimore an easement or right of way 30 feet wide binding on the south side of the former bed of Windsor Avenue and extending westerly for the length thereof, for the construction and maintenance of storm water drains and other municipal utilities and services. Said parcel of land being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the fee simple interest of the Mayor and City

Council of Baltimore in and to that parcel of land situate in Baltimore City, State of Maryland, and described as follows:

Beginning for the same at the point formed by the intersection of the northwest side of Warwick Avenue, 66 feet wide, and the south side of Windsor Avenue, 66 feet wide as condemned and closed under Ordinance No. 1308, approved July 16, 1962 and running thence binding on the south side of said former Windsor Avenue North 83 degrees 35 minutes 00 seconds West 154.99 feet to the end thereof and to the end of the fourth line of the parcel of land conveyed by Charles A. Knott, et al, to John L. Knott and wife by deed dated July 10, 1953, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 9213, folio 440; thence binding reversely on the fourth and third lines of said deed, the two following courses and distances, namely, North 02 degrees 38 minutes 40 seconds West 66.83 feet and South 83 degrees 35 minutes 00 seconds East, binding on the north side of said former Windsor Avenue, 199.20 feet to intersect the northwest side of said Warwick Avenue and thence binding on the northwest side of said Warwick Avenue by a line curving to the right, with a 621.60 foot radius, the distance of 74.14 feet, which arc is subtended by a chord bearing South 33 degrees 27 minutes 18.5 seconds West 74.10 feet to the place of beginning.

Reserving thereout, to the Mayor and City Council of Baltimore, its successors and assigns a 30 foot right-of-way or easement along the south side of former Windsor Avenue for the purpose of constructing and maintaining storm water drains and other municipal utilities and services, as shown on plat dated October 10, 1962 and numbered R.W. 20-35083.

All references herein to the former Windsor Avenue are for the purposes of description only and not intended to be a dedication thereof to public use.

Said parcel of land being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1632

(City Council 2498)

An ordinance to condemn and open, (1) a portion of Frey's Alley, 10 feet wide, from Greenmount Avenue southeasterly 40.30 feet and (2) a portion of Kirsch Court beginning 84.79 feet south of Madison Street and running southerly 86.0 feet to the end thereof in accordance with a plat thereof numbered 267-B-4B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the sixth (6th) day of March, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, (1) a portion of Frey's Alley, 10 feet wide, from Greenmount Avenue southeasterly 40.30 feet and (2) a portion of Kirsch Court beginning 84.79 feet south of Madison Street and running southerly 86.0 feet to the end thereof, in accordance with a plat thereof numbered 267-B-4B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the sixth (6th) day of March, 1963, and now on file in said office; the said portions of Frey's Alley and Kirsch Court are numbered one and two on said plat and described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Greenmount Avenue, as now laid out, and the northeast side of Frey's Alley, 10 feet wide, said point of beginning being distant 153.25 feet southerly from the point formed by the intersection of the east side of said Greenmount Avenue and the south side of Madison Street, as now laid out, and running thence South $72^{\circ}-42'-00''$ East, binding on the northeast side of said Frey's Alley, 43.11 feet to intersect the northwest side of Frey's Alley as closed under Ordinance No. 110, approved December 5, 1951, by the Mayor and City Council of Baltimore; thence South $21^{\circ}-43'-00''$ West, binding on the northwest side of the last said Frey's Alley, 10.03 feet to intersect the southwest side of Frey's Alley, as now laid out 10 feet wide, thence North $72^{\circ}-42'-00''$ West, binding on said southwest side 37.48 feet to intersect the east side of said Greenmount Avenue and thence North $08^{\circ}-36'-00''$ West, binding on said east side, 11.12 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the division line between property now or formerly owned by Schumacher and Seiler and property now or formerly owned by Paul Swartz and the west side of Kirsch Court, 12 feet wide, said point of beginning being southerly 84.79 feet, measured along the west side of said Kirsch Court, from the point formed by the intersection of said west side and the south side of East Madison Street, as now laid out, and running thence at a right angle to the west side of said Kirsch Court and crossing said Kirsch Court, easterly 12.0 feet, to intersect the east side of said Kirsch Court; thence binding on the east, north, west, north, east, south, east, south, east, west, northwest and west sides respectively of said Kirsch Court and the outline of property now or formerly owned by Schumacher and Seiler there situate, the twelve following courses and distances, namely, southerly 24.67 feet, easterly 35.08 feet, northerly 15.91 feet, easterly 3.0 feet, southerly 18.91 feet, westerly 14.84

feet, southerly 9.0 feet, westerly 48.0 feet, southerly 17.50 feet, northerly 20.0 feet, northeasterly 22.42 feet and northerly 28.0 feet to the place of beginning.

The above courses are not referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Frey's Alley and Kirsch Court as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the sixth (6th) day of March in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Frey's Alley and Kirsch Court and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1633

(City Council 2499)

An ordinance to condemn and close (1) a portion of Frey's Alley, 10 feet wide, from Greenmount

Avenue southeasterly 40.30 feet and (2) a portion of Kirsch Court beginning 84.79 feet south of Madison Street and running southerly 86.0 feet to the end thereof in accordance with a plat thereof numbered 267-B-4C, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the seventh (7th) day of March, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close (1) a portion of Frey's Alley, 10 feet wide, from Greenmount Avenue southeasterly 40.30 feet and (2) a portion of Kirsch Court beginning 84.79 feet south of Madison Street and running southerly 86.0 feet to the end thereof, in accordance with a plat thereof numbered 267-B-4C, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the seventh (7th) day of March, 1963, and now on file in said office; the said portions of Frey's Alley and Kirsch Court are numbered one and two on said plat and described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Greenmount Avenue, as now laid out, and the northeast side of Frey's Alley, 10 feet wide, said point of beginning being distant 153.25 feet southerly from the point formed by the intersection of the east side of said Greenmount Avenue and the south side of Madison Street, as now laid out, and running thence South $72^{\circ}-42'-00''$ East, binding on the northeast side of said Frey's Alley, 43.11 feet to intersect the northwest side of Frey's Alley as closed under Ordinance No. 110, approved December 5, 1951, by the Mayor and City Council of Baltimore; thence South $21^{\circ}-43'-00''$ West, binding on the northwest side of the last said Frey's Alley, 10.03 feet to intersect the southwest side of Frey's Alley, as now laid out 10 feet wide, thence North $72^{\circ}-42'-00''$ West, binding on said southwest side 37.48 feet to intersect the

east side of said Greenmount Avenue and thence North $08^{\circ}-36'-00''$ West, binding on said east side, 11.12 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the division line between property now or formerly owned by Schumacher and Seiler and property now or formerly owned by Paul Swartz and the west side of Kirsch Court, 12 feet wide, said point of beginning being Southerly 84.79 feet, measured along the west side of said Kirsch Court, from the point formed by the intersection of said west side and the south side of East Madison Street, as now laid out, and running thence at a right angle to the west side of said Kirsch Court and crossing said Kirsch Court, easterly 12.0 feet, to intersect the east side of said Kirsch Court; thence binding on the east, north, west, north, east, south, east, south, east, west, northwest and west sides respectively of said Kirsch Court and the outline of property now or formerly owned by Schumacher and Seiler there situate, the twelve following courses and distances, namely, southerly 24.67 feet, easterly 35.08 feet, northerly 15.91 feet, easterly 3.0 feet, southerly 18.91 feet, westerly 14.84 feet, southerly 9.0 feet, westerly 48.0 feet, southerly 17.50 feet, northerly 20.0 feet, northeasterly 22.42 feet and northerly 28.0 feet to the place of beginning.

The above courses are not referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Frey's Alley and Kirsch Court as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the seventh (7th) day of March in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures

and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Frey's Alley and Kirsch Court and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1634

(City Council 2524)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the former bed of an alley, 15 feet wide, now closed, 70 feet north of Biddle Street, extending from Rutland Avenue westerly 64.00 feet to a 12-foot alley there situate. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the

former bed of a 15-foot alley, now closed, described as follows:

BEGINNING for the same at a point on the west side of Rutland Avenue, distant 70 feet north from the northwest corner of Biddle Street and Rutland Avenue, running thence westerly 64.00 feet to a 12-foot alley, there situate, thence northeasterly on the southeast side of said 12-foot alley, 22 feet, thence easterly 53.5 feet to Rutland Avenue, and thence southerly thereon 15 feet to the place of beginning.

All references herein to the former 15-foot alley are for the purposes of description only and not intended to be a dedication thereof to public use.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1635

(City Council 2525)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to a parcel of ground, formerly a portion of Frey's Alley, 10 feet wide, from Greenmount Avenue southeasterly 40.30 feet, and a parcel of ground, formerly a portion of Kirsch Court, 12 feet wide, beginning 84.79 feet south of Madison Street and running southerly 86.0 feet to

the end thereof. Said parcels of ground being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to those two parcels of ground situate in Baltimore City, State of Maryland, and described as follows:

BEGINNING for the first at a point formed by the intersection of the east side of Greenmount Avenue, as now laid out, and the northeast side of Frey's Alley, 10 feet wide, said point of beginning being distant 153.25 feet southerly from the point formed by the intersection of the east side of said Greenmount Avenue and the south side of Madison Street, as now laid out, and running thence South 72 degrees 42 minutes 00 seconds East, binding on the northeast side of said Frey's Alley, 43.11 feet to intersect the northwest side of Frey's Alley as closed under Ordinance No. 110, approved December 5, 1951, by the Mayor and City Council of Baltimore; thence South 21 degrees 43 minutes 00 seconds West, binding on the northwest side of the last said Frey's Alley, 10.03 feet to intersect the southwest side of Frey's Alley, as now laid out, 10 feet wide, thence North 72 degrees 42 minutes 00 seconds West, binding on said southwest side 37.48 feet to intersect the east side of said Greenmount Avenue and thence North 08 degrees 36 minutes 00 seconds West, binding on said east side, 11.12 feet to the place of beginning.

BEGINNING for the second at the point formed by the intersection of the division line between property now or formerly owned by Schumacher and Seiler and property now or formerly owned by Paul Swartz and the west side of Kirsch Court, 12 feet

wide, said point of beginning being southerly 84.79 feet, measured along the west side of said Kirsch Court, from the point formed by the intersection of said west side and the south side of East Madison Street, as now laid out, and running thence at a right angle to the west side of said Kirsch Court and crossing said Kirsch Court, easterly 12.0 feet, to intersect the east side of said Kirsch Court; thence binding on the east, north, west, north, east, south, east, south, east, west, northwest, and west sides respectively of said Kirsch Court and the outline of property now or formerly owned by Schumacher and Seiler there situate, the twelve following courses and distances, namely, southerly 24.67 feet, easterly 35.08 feet, northerly 15.91 feet, easterly 3.0 feet, southerly 18.91 feet, westerly 14.84 feet, southerly 9.0 feet, westerly 48.0 feet, southerly 17.50 feet, northerly 20.0 feet, northeasterly 22.42 feet and northerly 28.0 feet to the place of beginning.

The above courses are not referred to the true meridian as adopted by the Baltimore Survey Control System.

Said parcels of ground being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 18, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1636

(Council No. 496)

An ordinance authorizing the acquisition by purchase or acceptance of dedication, by the Mayor

and City Council of Baltimore, of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely for the opening, widening, grading, construction and maintenance of Rogers Avenue, 80 feet wide, and authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore, of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely for the opening, widening, grading, construction and maintenance of Rogers Avenue 56 feet wide, from Liberty Heights Avenue, northeasterly to Hayward Avenue; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Rogers Avenue; and authorizing the making of all necessary agreements concerning said Rogers Avenue; and authorizing the construction of said Rogers Avenue; the location and course of said Rogers Avenue being shown on a plat thereof numbered 172-A-29, prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the Fourth (4th) day of April, 1960.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire by purchase or acceptance of dedication for public highway purposes, namely for the opening, widening, grading, construction and maintenance of Rogers Avenue, 80 feet wide, and by purchase or condemnation for public highway purposes, namely for the opening, widening, grading, construction and maintenance of Rogers Avenue, 56 feet wide, from Liberty Heights Avenue northeasterly to Haywood Avenue, the fee simple interests or such other

interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for the width of 80 feet to be acquired by purchase or acceptance of dedication at a point on the northeast side of Liberty Heights Avenue, 66.0 feet wide, said point being distant 23.90 feet northwesterly from the point formed by the intersection of the northeast side of said Liberty Heights Avenue and the northwest side of Rogers Avenue, 40.0 feet wide, and running thence North $52^{\circ}-10'-40''$ East 1307.93 feet; thence by a line curving to the left, with a 1496.07 foot radius, the distance of 189.60 feet, which arc is subtended by a chord bearing North $48^{\circ}-32'-50''$ East 189.47 feet; thence North $44^{\circ}-55'-00''$ East 883.71 feet; thence by a line curving to the left, with a 961.20 foot radius, the distance of 184.07 feet, which arc is subtended by a chord bearing North $39^{\circ}-25'-50''$ East 183.79 feet; thence North $33^{\circ}-56'-40''$ East 584.97 feet; thence North $44^{\circ}-26'-00''$ East 1061.27 feet; thence by a line curving to the left with a 1107.97 foot radius, the distance of 23.72 feet, which arc is subtended by a chord bearing North $43^{\circ}-49'-12.5''$ East 23.72 feet; thence South $46^{\circ}-48'-00''$ East 60.27 feet to intersect the southeast side of Rogers Avenue, as formerly laid out 30.0 feet wide; thence binding on the southeast side of said Rogers Avenue, as formerly laid out, North $44^{\circ}-26'-00''$ East 192.04 feet; thence by a line curving to the right with a 1187.97 foot radius, the distance of 218.31 feet, which arc is subtended by a chord bearing South $39^{\circ}-10'-07.5''$ West 218.00 feet to intersect a line drawn parallel with and distant 80.0 feet southeasterly measured at right angles from the sixth line of this description; thence reversing said line so drawn and binding thereon and on lines drawn parallel with and distant 80.0 feet southeasterly measured at right angles and radially from the fifth, fourth, third, second and first lines of this

description, respectively, the six following courses and distances namely, South $44^{\circ}-26'-00''$ West 1053.98 feet, South $33^{\circ}-56'-40''$ West 577.58 feet, by a line curving to the right with a 1041.20 foot radius, the distance of 199.39 feet, which arc is subtended by a chord bearing South $39^{\circ}-25'-50''$ West 199.09 feet, South $44^{\circ}-55'-00''$ West 883.71 feet, by a line curving to the right, with a 1576.07 foot radius, the distance of 199.74 feet, which arc is subtended by a chord bearing South $48^{\circ}-32'-50''$ West 199.60 feet and South $52^{\circ}-10'-40''$ West 1221.75 feet; thence South $22^{\circ}-13'-22''$ West 34.70 feet to intersect the northeast side of said Liberty Heights Avenue and thence binding on the northeast side of said Liberty Heights Avenue North $67^{\circ}-46'-38''$ West 112.45 feet to the place of beginning, and beginning for the width of 56 feet to be acquired by purchase or condemnation at a point on the northeast side of Liberty Heights Avenue, 66.0 feet wide, said point being distant 10.03 feet northwesterly from the point formed by the intersection of the northeast side of said Liberty Heights Avenue and the northwest side of Rogers Avenue, 40 feet wide, and running thence on lines drawn parallel or concentric with and distant 12 feet southeasterly measured at right angles and radially from the first, second, third, fourth and fifth lines respectively of the above described 80 foot wide street the five following courses and distances, namely, North $52^{\circ}-10'-40''$ East 1300.99 feet, by a line curving to the left, with a 1508.07 foot radius, the distance of 191.12 feet, which arc is subtended by a chord bearing North $48^{\circ}-32'-50''$ East 190.99 feet, North $44^{\circ}-55'-00''$ East 883.71 feet, by a line curving to the left with a 973.20 foot radius, the distance of 186.37 feet, which arc is subtended by a chord bearing North $39^{\circ}-25'-50''$ East 186.09 feet and North $33^{\circ}-56'-40''$ East 482.61 feet; thence by a line curving to the right with a 1103.00 foot radius, the distance of 201.92 ft. which arc is subtended by a chord bearing North $39^{\circ}-11'-20''$ East 201.64 feet; thence on lines drawn parallel or concentric with and distant 12 feet southeasterly measured at right angles and radially re-

spectively from the sixth and seventh lines in the above described 80 foot wide street the two following courses and distances namely, North $44^{\circ}-26'-00''$ East 958.93 feet and by a line curving to the left with a 1119.97 foot radius the distance of 23.97 feet, which arc is subtended by a chord bearing North $43^{\circ}-49'-13''$ East 23.97 feet, to intersect the eighth line in the above described 80 foot wide street, thence running with said eighth line South $46^{\circ}-48'-00''$ East 48.27 feet to the beginning of the ninth line in the above described 80 foot wide street; thence running with part of said ninth line North $44^{\circ}-26'-00''$ East 111.89 feet to intersect a line drawn parallel with and distant 56 feet southeasterly measured radially from the eighth line of this description produced northeasterly; thence reversing said line so drawn and binding thereon and on lines drawn parallel or concentric with and distant 56 feet southeasterly measured at right angles and radially from the seventh, sixth, fifth, fourth, third, second and first lines of this description respectively the eight following courses and distances, namely, by a line curving to the right with a 1175.97 foot radius the distance of 137.21 feet, which arc is subtended by a chord bearing South $41^{\circ}-05'-27''$ West 137.13 feet, South $44^{\circ}-26'-00''$ West 958.93 feet, by a line curving to the left with a 1047.00 foot radius the distance of 191.67 feet, which arc is subtended by a chord bearing South $39^{\circ}-11'-20''$ West 191.40 feet, South $33^{\circ}-56'-40''$ West 482.61 feet, by a line curving to the right with a 1029.20 foot radius the distance of 197.09 feet, which arc is subtended by a chord bearing South $39^{\circ}-25'-50''$ West 196.79 feet, South $44^{\circ}-55'-00''$ West 883.71 feet, by a line curving to the right with a 1564.07 foot radius the distance of 198.22 feet, which arc is subtended by a chord bearing South $48^{\circ}-32'-50''$ West 198.08 feet and South $52^{\circ}-10'-40''$ West 1227.13 feet; thence South $22^{\circ}-13'-22''$ West 36.03 feet to intersect the northeast side of said Liberty Heights Avenue and thence binding on the northeast side of said Liberty

Heights Avenue North $67^{\circ}-46'-38''$ West 85.40 feet to the place of beginning.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Rogers Avenue, the location and course of said Rogers Avenue being shown on a plat thereof numbered 172-A-29, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Fourth (4th) day of April, 1960.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained*, That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said Rogers Avenue. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor

of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of opening, widening, grading, constructing and maintaining said Rogers Avenue 56 feet wide.

SEC. 3. *And be it further ordained,* That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33-A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained,* That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said Rogers Avenue Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained,* That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said Rogers Avenue Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1637

(Council No. 1964)

An ordinance authorizing the Mayor and City Council of Baltimore to release and surrender all of its right, title and interest in and to a portion of a right-of-way, 30 feet wide, for municipal utilities heretofore granted to the City of Baltimore, extending in a northeasterly direction north of Quad Avenue through the property of August F. Shipley, et al. Said portion of right-of-way to be released being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Mayor and City Council of Baltimore be and it is hereby authorized to execute and deliver unto the owner or owners of the land situate in Baltimore City, Maryland, through which the portion of the right-of-way hereinafter referred to extends, a deed releasing all of the right, title and interest of the Mayor and City Council of Baltimore in and to said portion of the right-of-way hereinafter described and heretofore granted to the Mayor and City Council of Baltimore for the construction and maintenance of municipal utilities therein, said portion of the right-of-way being described as follows:

Beginning for the same at the end of the sixth line of the secondly described right-of-way as called for in the agreement between Anne Hofstetter, widow, and the Mayor and City Council of Baltimore, dated August 14, 1942, and recorded among the Land Records of Baltimore City in Liber M.L.P.

No. 6362, folio 92, said point of beginning being formed by the intersection of the sixth line of the secondly described 30-foot right-of-way of said agreement and the ninth or South 52 degrees 01 minutes 00 seconds West 517.39 foot line of a proposed right-of-way agreement as shown on a plat prepared by the Right-of-way Division of the Bureau of Surveys, dated October 23, 1961, and numbered R.W. 20-35064, said point being distant North 52 degrees 01 minutes 00 seconds East 339.04 feet from the intersection of said ninth line of said agreement and the northeast side of North Point Road, 150 feet wide, and said last point of intersection being North 59 degrees 22 minutes 40 seconds West 139.78 feet from the northwest corner of said North Point Road and Quad Avenue, 80 feet wide, and running thence binding reversely on part of the ninth line of said proposed Right-of-way North 52 degrees 01 minutes 00 seconds East 99.95 feet to intersect the second line of the 30-foot secondly described Right-of-way of said agreement between Anne Hofstetter, widow, and the Mayor and City Council of Baltimore; thence binding on part of the second line, on the third, fourth, fifth and sixth lines of said 30-foot Right-of-way the five following courses and distances, namely, North 69 degrees 29 minutes 00 seconds East 307.73 feet, North 88 degrees 35 minutes 00 seconds East 99.81 feet, South 01 degrees 25 minutes 00 seconds East 30.0 feet, South 88 degrees 35 minutes 00 seconds West 94.49 feet and South 69 degrees 29 minutes 00 seconds West 398.03 feet to the place of beginning.

Being a part or portion of the 30-foot right-of-way which was granted and conveyed by Anne Hofstetter, widow, to the Mayor and City Council of Baltimore by deed, dated August 14, 1942, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6362, folio 92.

No municipal utilities have been constructed in said portion of the right-of-way.

Said portion of the right-of-way being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance therewith until the same shall have first been approved by the City Solicitor.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1638

(Council No. 2055)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the two parcels of land situate in Baltimore County, one thereof on the north side of Broening Highway, containing 2.806 acres of land, more or less, and the other situate on the southerly side of Broening Highway, containing 3.216 acres of land, more or less. Said properties being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with the provisions of Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the two parcels of land situate in Baltimore County, and described as follows:

Beginning for the first parcel thereof at the point formed by the intersection of the north side of Broening Highway, 60 feet wide, and the northeast side of the Pennsylvania Railroad Company's, Sparrows Point Branch, Right-of-way, 70 feet wide and running thence, binding on the northeast side of said Railroad right-of-way North 47 degrees 33 minutes 40 seconds West 310.85 feet to intersect the south side of Belclare Road, 60 feet wide; thence binding on the south side of said Belclare Road North 86 degrees 28 minutes 18 seconds East 613.86 feet to intersect the seventh line of the secondly described parcel of land conveyed by the Mayor and City Council of Baltimore to Baltimore County by deed, dated August 16, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3889, folio 73; thence binding reversely on part of the seventh, the sixth and fifth lines of the second parcel of said deed the three following courses and distances, and on the southwest side of Dundalk Avenue, as now laid out, South 20 degrees 23 minutes 37 seconds East 109.10 feet, by a line curving to the left, with a 5779.58 foot radius the distance of 97.12 feet, which arc is subtended by a chord bearing South 19 degrees 13 minutes 43 seconds East 97.10 feet and South 34 degrees 51 minutes 20 seconds West 45.41 feet to intersect the north side of said Broening Highway and thence binding on the north side of said Broening Highway South 87 degrees 48 minutes 40 seconds West 427.65 feet to the place of beginning.

Containing 2.806 acres of land, more or less.

Beginning for the second parcel thereof at the point formed by the intersection of the south side of Broening Highway, 60 feet wide, and the northeast side of Pennsylvania Railroad Company's, Sparrows Point Branch, Right-of-way, 70 feet wide, and running thence binding on the south side of said Broening Highway North 87 degrees 48 minutes 40 seconds East 411.50 feet to the end of the third line of the firstly described parcel of land conveyed by

the Mayor and City Council of Baltimore to Baltimore County by deed, dated August 16, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3889, folio 73; thence binding reversely on the third and second lines of the first parcel of said deed the two following courses and distances, namely, South 62 degrees 45 minutes 50 seconds East 24.84 feet and by a line curving to the left with a 5779.58 foot radius, binding on the southwest side of Dundalk Avenue, as now laid out, the distance of 52.45 feet, which arc is subtended by a chord bearing South 22 degrees 46 minutes 06 seconds East 52.45 feet; thence continuing to bind on the southwest side of said Dundalk Avenue, the two following courses and distances, namely, South 20 degrees 19 minutes 20 seconds East 357.46 feet and by a line curving to the left, with a 991.86 foot radius the distance of 471.54 feet, which arc is subtended by a chord bearing South 33 degrees 56 minutes 30 seconds East 467.11 feet to intersect the northeast side of said Railroad Right-of-way and thence binding on the northeast side of said Railroad Right-of-way North 47 degrees 33 minutes 40 seconds West 1136.24 feet to the place of beginning.

Containing 3.216 acres of land, more or less.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Said properties being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1639

(Council No. 2163)

An ordinance to amend Sheet No. 12 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the Restricted First Commercial Use District the property on the northeast side of Denmore Avenue, southeast from Hayward Avenue, as outlined in red on the four plats accompanying this ordinance; such change in zoning classification to be for the purpose of constructing and maintaining a structure for combined use for stores and offices, according to the development plans filed with and incorporated by reference in this ordinance, and subject to the condition that failure to establish, or to be actively in the process of establishing, the development in accordance with these plans and conditions within 18 months after the date of approval of this ordinance, and that failure to maintain the land, buildings, and uses in substantial conformity with these plans and conditions may be grounds for the reclassification of the said property, all as provided in Ordinance 940 of the Mayor and City Council of Baltimore, approved July 28, 1961.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 12 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the Restricted First Commercial Use District, the property on the northeast side of Denmore Avenue, southeast from Hayward Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this change in zoning classification is for the purpose of constructing and maintaining a structure for combined use for stores and offices. Such construction and maintenance are to be in accordance with the development plans filed with this ordinance, which are incorporated by reference. The ordaining of this ordinance also is subject to the condition that failure to establish, or to be actively in the process of establishing, the development in accordance with these plans and conditions within 18 months after the date of the approval of this ordinance, and that failure to maintain the land, buildings, and uses in substantial conformity with these plans and conditions, may be grounds for the reclassification of said property, all as provided in Ordinance 940 of the Mayor and City Council of Baltimore, approved July 28, 1961.

SEC. 4. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1640

(Council No. 2174)

An ordinance to repeal Section 134(1-b-1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 892, approved June 29, 1961, and to ordain a new Section 134(1-b-1) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the parking and stopping of vehicles on Paca Street, between Mulberry Street and Camden Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 134(1-b-1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 892, approved June 29, 1961, be and it is hereby repealed; and that a new Section 134(1-b-1) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

134.

(1-b-1) No vehicle is permitted to be parked at any time on the east side of Paca Street between Mulberry Street and Camden Street; and between the hours of 7 A. M. and 10 A. M. and the hours of 4 P. M. and 6 P. M. on any day, no vehicle is permitted to be stopped on this portion of the east side of Paca Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1641

(Council No. 2179)

An ordinance to repeal Section 134(1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance No. 49, approved October 28, 1955; and to ordain new Sections 134(1) and 134(1-1/2) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the stopping and parking of vehicles on certain portions of Paca Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 134(1) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance No. 49, approved October 28, 1955, be and it is hereby repealed; and that new Sections 134(1) and 134(1-1/2) be and they are hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

134.

(1) No vehicle is permitted to be stopped between the hours of 7 A. M. and 10 A. M. and between the hours of 4 P. M. and 6 P. M. on any day on the west side of Paca Street between Franklin Street and Druid Hill Avenue.

(1-1/2) No vehicle is permitted to be stopped between the hours of 7 A. M. and 10 A. M. and the hours of 4 P. M. and 6 P. M. on any day on the east side of Paca Street between Franklin Street and McCulloh Street; and between the hours of 10 A. M. and 4 P. M. on any day, no vehicle is permitted to be parked on this portion of the east side of Paca Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1642

(Council No. 2387)

An ordinance to change the name of that portion of Charles Street beginning at the intersection of Cromwell Street and running thence to the waterfront, the new name of this portion of Charles Street to be "Insulator Drive."

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the name of that portion of Charles Street beginning at the intersection of Cromwell Street and running thence to the waterfront be and it is hereby changed, and that said portion of Charles Street shall hereafter be known as Insulator Drive.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1643

(Council No. 2392)

An ordinance authorizing the City Comptroller to sell at either public or private sale such interest of the Mayor and City Council of Baltimore in

and to all those pieces or parcels of land situated in Baltimore City, Baltimore County and Harford County acquired, but not now needed, for the construction, maintenance and operation of water conduits, pipes, mains, vaults, valves and appurtenances for conducting, augmenting and improving the water supply of Baltimore City by the taking of water from the Susquehanna River and no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale such interest of the Mayor and City Council of Baltimore in and to all those pieces or parcels of land situated in Baltimore City, Baltimore County and Harford County acquired, but not now needed, for the construction, maintenance and operation of water conduits, pipes, mains, vaults, valves and appurtenances for conducting, augmenting and improving the water supply of Baltimore City by the taking of water from the Susquehanna River and no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1644

(Council No. 2529)

An ordinance to repeal Section 181 (7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking

Meters," as said section was ordained by Ordinance 1726, approved December 12, 1958, repealing the ordinance which provided for the installation and operation of parking meters on the north side of Thirty-first Street between St. Paul Street and Lovegrove Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 181 (7a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," as said section was ordained by Ordinance 1726, approved December 12, 1958, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1645

(Council No. 2530)

An ordinance to repeal Section 134 (15a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 988, approved April 6, 1954, repealing the ordinance which prohibits the parking of vehicles on the east side of Patapsco Street between Barney Street and Heath Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 134 (15a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 988, approved April 6, 1954, be and it is hereby repealed.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1646

(Council No. 2531)

An ordinance to repeal Section 120 (57a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," and to ordain a new Section 120 (57a) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the standing and parking of vehicles on a portion of Bouldin Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 120 (57a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and it is hereby repealed; and that a new Section 120 (57a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

120.

(57a) No vehicle may be parked on either side of Bouldin Street from the intersection of Pratt Street to a point approximately 174 feet southerly therefrom between the hours of 10 A. M. and 3 P. M. on the days on which public schools are ordinarily in session.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1647

(Council No. 2532)

An ordinance to add Section 96 (4a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96 (4) thereof, making Calvert Street from 2nd Street to Hanover Street a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 96 (4a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 96 (4) thereof, and to read as follows:

96.

(4a) Calvert Street from 2nd Street to Hanover Street is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a westerly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1648

(Council No. 2533)

An ordinance to repeal Section 121 (60a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said Section was ordained by Ordinance 709,

approved May 20, 1953, and to ordain a new Section 121 (60a) in lieu thereof to stand in the place of the Section so repealed, revising the provision concerning the standing and parking of vehicles on the west side of Chester Street between Bank Street and Eastern Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 121 (60a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said Section was ordained by Ordinance 709, approved May 20, 1953, be and the same is hereby repealed; and that a new Section 121 (60a) be and the same is hereby ordained to stand in the place of the Section so repealed, and to read as follows:

121.

(60a) No vehicle may be parked at any time on the west side of Chester Street between Bank Street and Eastern Avenue.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the day of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1649

(Council No. 2534)

An ordinance to repeal Section 131 (92a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said Section was ordained by Ordinance 969, approved June 7, 1957, repealing the Ordinance which prohibits the parking of vehicles on Myrtle Avenue between Lexington Street and Waesche Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 131 (92a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 969, approved June 7, 1957, be and the same is hereby repealed.*

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1650

(Council No. 2535)

An ordinance to repeal Section 132 (10a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said Section was ordained by Ordinance 793, approved May 19, 1961 repealing the Ordinance which regulates the stopping of vehicles on North Avenue between Mt. Royal and Druid Hill Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Section 132 (10a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance 793, approved May 19, 1961, be and the same is hereby repealed.*

SEC. 2. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1651

(Council No. 2536)

An ordinance to repeal Section 124 (65) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," said Section concerning the parking or standing of vehicles on Front Street between Baltimore Street and Hillen Street and to ordain new Sections 124 (65) and 124 (65a) in lieu thereof to stand in the place of the Section so repealed regulating the parking of vehicles on a certain portion of Front Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 124 (65) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," be and the same is hereby repealed; and that new Sections 124 (65) and 124 (65a) be and the same are hereby ordained in lieu thereof to stand in the place of the section so repealed, and to read as follows:

124.

(65) No vehicle is permitted to park between the hours of 7:00 a.m. and 6:00 p.m. on any day on the east side of Front Street between Baltimore Street and Hillen Street.

124.

(65a) Vehicles may be parked no longer than two hours continuously between the hours of 7:00 a.m. and 6:00 p.m. on the west side of Front Street between Baltimore Street and Gay Street.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1652

(Council No. 2537)

An ordinance to add Section 106 (19a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 106 (19) thereof, making McKean Avenue from Westwood Avenue to North Avenue a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 106 (19a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 106 (19) thereof, and to read as follows:

106.

(19a) McKean Avenue from Westwood Avenue to North Avenue is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a northerly direction only.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1653

(Council No. 2538)

An ordinance to add Section 97 (18a) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately

after Section 97 (18) thereof, making Drew Street from Cardiff Avenue to Boston Street a one-way street for vehicular traffic.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 97 (18a) be and it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "One-Way Streets," said new section to follow immediately after Section 97 (18) thereof, and to read as follows:

97.

(18a) Drew Street from Cardiff Avenue to Boston Street is hereby declared to be a one-way street for vehicular traffic, and shall be used by said traffic in a northerly direction only.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 25, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1654

(Council No. 2065)

An ordinance to repeal, subject to certain conditions, Ordinance No. 53, approved October 13, 1959, which authorizes the Procter and Gamble Manufacturing Company, a body corporate, to erect, construct, maintain and operate two one-story enclosed conveyor superstructures or bridge-ways above and across (1) the bed of Marriott Street about 6 feet west of Decatur Street and (2) the bed of Decatur Street about 124 feet north of Marriott Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance No. 53, approved October 13, 1959, and entitled "An ordinance granting permission and authority to the Procter and Gamble Manufacturing Company, a corporation, to erect, construct, maintain and operate two one-story enclosed conveyor superstructures or bridgeways above and across (1) the bed of Marriott Street about 6 feet west of Decatur Street and (2) the bed of Decatur Street about 124 feet north of Marriott Street," be and the same is hereby repealed; provided, however, that no claims, charges and/or liabilities which have arisen, accrued or become due under said Ordinance No. 53, approved October 13, 1959, at any time or times prior to the passage and approval of this ordinance shall be in any way affected by the repeal of said ordinance.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 30, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1655

(Council No. 2539)

An ordinance to repeal and re-ordain, with amendments, Section 60A of Article 24 of the Baltimore City Code (1950 Edition), title "Police," subtitle "Pistols," subheading "Other Weapons," as said Section 60A was ordained by Ordinance No. 233, approved February 2, 1956, making certain technical changes in said section; and providing that it shall be unlawful, except under certain circumstances, to sell, offer for sale, give away, lend, rent, transfer or attempt to transfer, own,

possess, use, permit the use or handling of, any dart gun, blow gun or other device by whatever name or description known which is discharged or operated by introducing air or any type of gas into any part of a hollow tube or shaft and thereby causing to be ejected therefrom any dart, needle, arrow, pin, pellet, or any other object which is capable of inflicting any injury, damage or harm to or upon any person, animal or bird.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 60A of Article 24 of the Baltimore City Code (1950 Edition), title "Police," subtitle "Pistols," subheading "Other Weapons," as said Section 60A was ordained by Ordinance No. 233, approved February 2, 1956, be and it is hereby repealed and re-ordained, with amendments, to read as follows:

60A.

(a) It shall be unlawful for any persons, firm or corporation to sell, give away, lend, rent, or otherwise transfer to, or permit the use by, any individual whom any such person, firm or corporation knows or has reasonable cause to believe to be a minor, under the age of twenty-one years, any gun or other device, by whatever name or description known, which discharges a pellet or other object by force of gas or air cylinder or cartridge.

(b) It shall be unlawful for any person to discharge or use any gun or other device, by whatever name or description known, which discharges a pellet or other object by force of a gas or air cartridge or cylinder, unless the said gun shall be kept within his own domicile or shall be used by him for the purpose of teaching the use and care of weapons or firearms at an indoor or outdoor range which shall be under the supervision, guidance and instruction of an adult.

(c) It shall be unlawful for any person to discharge any such gun or device from or across any

street, sidewalk, alley or public road within the limits of the City of Baltimore except on a properly constructed target range or except on private grounds or residence under circumstances where the said gun or device can be fired, discharged or operated in such a manner as not to endanger persons or property and also in such a manner as to prevent the projectile from traversing any grounds or space outside the limits of such grounds or residence.

(d) It shall be unlawful for any person, firm or corporation to sell, offer for sale by any means whatsoever, give away, lend, rent, or otherwise transfer or attempt to transfer, or to own, possess, use, handle, or permit the use of, any dart gun, blow gun, or other device by whatever name or description known, which is discharged or operated by introducing air or any type of gas into any part of a hollow tube or shaft and thereby causing to be ejected therefrom any dart, needle, arrow, pin, pellet, or any other object which is capable of inflicting any injury, damage or harm to or upon any person, animal or bird. Nothing contained in this paragraph (d) shall be construed to prevent the use of any such device for the treatment, capture or destruction of animals when any such use takes place under the supervision of a veterinarian, policeman, or any other person who is regularly engaged or employed in the handling, training, treatment or maintenance of animals.

(e) Any violation of the provisions of this section shall be deemed to be a misdemeanor, subject upon conviction to a fine of not more than Five Hundred Dollars (\$500) or to imprisonment for not longer than sixty (60) days or to both fine and imprisonment, in the discretion of the Court.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved April 30, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1656
(Council No. 2331)

An ordinance ratifying and approving of an agreement of sale, dated December 5, 1962, between the Mayor and City Council of Baltimore and Harry L. Gladding of all of the interest of the Mayor and City Council of Baltimore in and to property No. 1 W. Mt. Vernon Place, subject to the covenants, conditions and restrictions therein set forth. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Agreement of Sale, dated December 5, 1962, between the Mayor and City Council of Baltimore and Harry L. Gladding be and the same is hereby ratified and confirmed, said Agreement of Sale being as follows :

“THIS AGREEMENT OF SALE, Made this 5th day of December, 1962, by and between the Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, hereinafter called ‘Seller,’ and Harry L. Gladding of Baltimore City, State of Maryland, hereinafter called ‘Buyer’.

“WITNESSETH, That the said Seller does hereby bargain and sell unto the said Buyer and the latter does hereby purchase from the former, in fee simple, all that property situate in Baltimore City, Maryland, at the southwest corner of Mt. Vernon Place and Washington Place, known as No. 1 West Mt. Vernon Place (known as the Jencks Property) at and for the sum of One Hundred Thousand Dollars (\$100,000), of which the sum of Ten Thousand Dollars (\$10,000) have been paid prior to the execution hereof, the receipt whereof is hereby acknowledged, and the balance thereof to be paid at the time of settlement, which is to be promptly made after the passage and approval of an ordinance, authorizing the said sale.

“For the purpose of maintaining the herein described property, the surrounding property and the historic area known as Mt. Vernon Place in a desirable and well-preserved condition, all in the public’s interest, the covenants, conditions and restrictions hereinafter set forth are entered into: The property is sold subject to and with the benefit of the following conditions and restrictions, which shall be binding upon the parties hereto and their respective heirs, successors and assigns:

1. The BUYER shall promptly restore the building and improvements on said land to a good and satisfactory condition as originally designed and constructed and, thereafter, maintain and preserve said building and improvements in a good, satisfactory and acceptable manner as originally designed and restored.

2. The property and improvements thereon shall be maintained and used as a private, single family dwelling without any commercial or business uses thereof whatsoever.

3. The said restoration and maintenance of said property to be in a manner satisfactory to an under the supervision of the Board of Estimates of Baltimore City in accordance with plans and specifications furnished by and at the expense of the buyer and to be submitted to and approved in writing by the said Board of Estimates.

“This sale is made subject to the passage of an ordinance within eighteen (18) months from the date hereof, authorizing said sale. In the event such ordinance is not passed within said time, then and in that event, this contract and all rights of the Buyer hereunder shall terminate and this contract to become null and void; whereupon, the Seller shall promptly return, without obligation on Seller to pay interest thereon, said sum of Ten Thousand Dollars (\$10,000) paid to the City on account of said purchase price, as herein recited.

“AND upon the passage and approval of said ordinance and upon payment as above provided of the unpaid purchase price, a Deed for the property shall be executed at the Buyer’s expense by the Seller, which shall convey the property by good and merchantable title to the Buyer free of liens and encumbrances, but subject, however, to the aforementioned conditions and restrictions.

“Real Estate Taxes to be assessed against said property and apportioned as of the date of settlement at which time possession shall be given.

“Federal and State documentary stamps required by law are to be paid in full by the Buyer.

“IN WITNESS WHEREOF the parties hereto have caused these presents to be executed the day and year aforesaid.

MAYOR AND CITY COUNCIL OF BALTIMORE

BY: s/s J. Harold Grady

J. Harold Grady, Mayor

ATTEST: (City of)
(Baltimore)

s/s M. Epple (Seal)

Deputy Treasurer

s/s Harry L. Gladding (SEAL)

Harry L. Gladding

WITNESS:

s/s Bayard Z. Hochberg

Approved by the Board of Estimates on the 5th day
of December, 1962:

s/s R. A. Lidinsky

Clerk

Approved as to form and legal sufficiency this 4th day of December, 1962:

s/s Francis B. Burch
Francis B. Burch, City Solicitor

s/s Lloyd G. McAllister
Lloyd G. McAllister, Chief Assistant Solicitor

SEC. 2. *Be it further ordained*, That the Mayor and Board of Estimates of Baltimore City be and they are hereby authorized and directed for and in the name of the Mayor and City Council of Baltimore to execute and deliver, in accordance with the terms of the aforementioned Agreement of Sale, such deed or deeds and instruments necessary to carry out the provisions thereof by the Mayor and City Council of Baltimore.

SEC. 3. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved May 9, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1657
(Council No. 2356)

An ordinance to amend Sheet No. 75 and 85 of the Use District and Height and Area Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Industrial Use, B-1½ Height and Area District to the Residential Use, D-9-40 Height and Area District, the property south of Waterview Avenue, east of Erick Street, and north of Cherry Hill

Road, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet Nos. 75 and 85 of the Use District and Height and Area Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Industrial Use, B-1½ Height and Area District to the Residential Use, D-9-40 Height and Area District, the property south of Waterview Avenue, east of Erick Street, and north of Cherry Hill Road, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 9, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1658

(Council No. 2381)

An ordinance to amend Sheet No. 45 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the B-1-1/2 Height and Area District to the C-1 Height and Area District, the property lying southwest from Rutter Street and northwest from Mt. Royal Plaza, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 45 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the B-1-1/2 Height and Area District to the C-1 Height and Area District, the property lying southwest from Rutter Street and northwest from Mt. Royal Plaza, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 9, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1659

(Council No. 2384)

An ordinance to amend Sheet No. 59 of the Use District and Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Industrial Use District, B-1-1/2 Height and Area District to the Residential Use District, D-40 Height and Area District, the property on the east side of Anglesea Street and the west side of Bonsal Street, north of Eastern Avenue, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 59 of the Use District and Height and Area District of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Industrial Use District, B-1-1/2 Height and Area District to the Residential Use District, D-40 Height and Area District, the property on the east side of Anglesea Street and the west side of Bonsal Street, north of Eastern Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council,

as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 9, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1660

(Council No. 2386)

An ordinance to amend Sheet No. 58 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the First Commercial Use District, the property on the east side of Clinton Street, north from Fleet Street, and the property on the north side of Fleet Street east from Clinton Street, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 58 of the Use District Map of Article 40 of the Baltimore City

Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the First Commercial Use District, the property on the east side of Clinton Street, north from Fleet Street, and the property on the north side of Fleet Street, east from Clinton Street, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved May 9, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1661

(Council No. 2491)

An ordinance authorizing and approving an Agreement by and between the Mayor and City Council of Baltimore and Maryland Port Authority, a body

corporate, relating to the payment by the Authority of stated sums in lieu of taxes and benefit assessments on certain property to be acquired by the Maryland Port Authority located in the Hawkins Point area of Baltimore City.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Mayor and City Council of Baltimore, does hereby approve and authorize the execution on behalf of the City by the Mayor of an Agreement to be entered into by and between the Mayor and City Council of Baltimore and Maryland Port Authority, a body corporate, said Agreement with appropriate insertions to read as follows:*

THIS AGREEMENT made this _____ day of _____, 1963, by and between the Mayor and City Council of Baltimore (herein called the "City") and Maryland Port Authority, a body politic and corporate and an instrumentality of the State of Maryland, (herein called the "Authority") witnesseth:

WHEREAS, by Section 18(b) of Article 62B of the Annotated Code of Maryland, 1957 Edition, the Authority is authorized and empowered to enter into agreements with the Mayor and City Council of Baltimore for such duration as they may determine for the payment by the Authority to the City of a stated sum or sums in lieu of taxes or benefit assessments on land and improvements thereon, present and future, acquired and developed by the Authority within the limits of the City; and

WHEREAS, the Authority is about to acquire from the United States of America, acting by and through the Administrator of General Services, certain lands and improvements lying wholly within the limits of the City, including what is commonly known as the "United States Quarantine Station," the "Lighthouse Lot" and the "Spring Lot," all of which are located in the Hawkins Point area of the City of Baltimore.

NOW THEREFORE, in consideration of the mutual covenants herein set forth, the Authority and the City do hereby agree as follows:

1. Commencing with the acquisition thereof from the United States of America (provided it is acquired not later than one year after the date of passage of this Ordinance) and extending for such period as the Authority shall own the property hereinafter more fully described, the said property and all improvements thereon and appurtenances thereto, now or hereafter constructed, shall be exempt from all municipal taxation and benefit assessments and in lieu of all such taxes and benefit assessments and as a service charge, the Authority shall pay annually to the City a sum of money computed at the rate of \$1.00 for each acre of the land which, at the time such sum is due and payable, is exempt from municipal taxation and benefit assessments under this Agreement. The first such payment shall be due and payable on the forty-fifth (45th) day following the date of such acquisition and subsequent payments shall be due and payable on the corresponding anniversary date of each subsequent year.

2. Subject to the provisions of Paragraph 3 hereof, the Authority agrees (1) that at such time as it may dispose of ownership of all or a portion of said property and improvements or leases the same for a term in excess of five (5) years including any renewal period or periods for which the term of the lease may be extended at the sole option of the lessee, or (2) that at such time as it may develop all or a portion of said property by the erection thereon of improvements, the portion so disposed of or so leased or so developed shall revert to the tax rolls of the City and, thereafter, shall be subject to all municipal taxation and benefit assessments.

3. In the event that the Authority shall lease all or a portion of said property for a term in excess of five (5) years (including any renewal period or periods for which the term of the lease may be

extended at the sole option of the lessee), or in the event that the Authority shall develop all or a portion of said property by the erection of improvements thereon, the City and the Authority agree to discuss payments in lieu of taxes and benefit assessments with respect to the property so leased or developed, as authorized by Section 18 (b) of Article 62B of the Annotated Code of Maryland, 1957 Edition.

4. The property referred to in Paragraph 1 hereof is more fully described as follows:

QUARANTINE STATION LOT—PARCEL I

BEGINNING for the same at a concrete monument shown on a plat entitled: "Survey of Quarantine Station Lot, Portion of Lighthouse Lot, and Spring Lot, Leading Point, Baltimore Harbor, Maryland: William D. Purdum, 9/12/62: Additions: November 13, 1962" and indicated on said plat as, "Point of beginning Parcel 1 Corner No. 1," as shown on a plat entitled, "Survey of Hawkins Point Terminal Facilities—Thoms Cove—Baltimore Harbor, Maryland," said Plat being recorded among the Land Records of Baltimore City, Maryland, in Pocket Folder J.F.C. 1129, and running thence referring all courses to the True Meridian as established by the Baltimore City Topographical Survey Commission and binding along the outlines of the aforesaid Plats, North 36 degrees 40' 10" West, 1479.14 feet to the waters of Curtis Bay and to corner No. 40, a concrete post, as shown on the aforesaid Plats; thence binding along the waters of Curtis Bay North 66 degrees 52' 50" East 50.53 feet to the beginning of a stone seawall; thence binding along the northernmost and easternmost face of the aforesaid stone seawall and along the waters of Curtis Bay, Patapsco River, and Thoms Cove the fourteen following courses and distances, viz.:

- (1) North 72 degrees 41' 40" East 136.28 feet,
- (2) North 66 degrees 10' 40" East 288.79 feet,

- (3) North 67 degrees 14' 00" East 84.47 feet,
 - (4) North 85 degrees 08' 50" East 21.87 feet,
 - (5) South 76 degrees 53' 20" East 89.75 feet,
 - (6) South 71 degrees 21' 20" East 39.76 feet,
 - (7) South 60 degrees 46' 50" East 54.37 feet,
 - (8) South 54 degrees 48' 20" East 37.11 feet,
 - (9) South 52 degrees 44' 00" East 66.16 feet,
 - (10) South 50 degrees 58' 50" East 128.39 feet,
 - (11) South 33 degrees 51' 10" East 47.00 feet,
 - (12) South 16 degrees 37' 40" East 88.80 feet,
 - (13) South 13 degrees 06' 20" East 113.49 feet,
- and

(14) South 04 degrees 38' 10" East 932.56 feet to the beginning of a concrete seawall; thence binding along the easternmost and northernmost face of the aforesaid concrete seawall and along the waters of Thoms Cove the four following courses and distances, viz.:

- (1) South 08 degrees 01' 30" East 38.89 feet,
- (2) South 55 degrees 12' 50" East 33.62 feet,
- (3) South 72 degrees 00' 50" East 66.91 feet, and

(4) South 65 degrees 03' 40" East 94.10 feet to the beginning of a sheet steel bulkhead; thence binding along the easternmost and southernmost face of the aforesaid sheet steel bulkhead and along the waters of Thoms Cove the two following courses and distances, viz.:

- (1) South 25 degrees 44' 40" West 34.60 feet, and

(2) North 67 degrees 01' 10" West 49.79 feet to the beginning of a concrete bulkhead; thence binding along the easternmost and southernmost face of the aforesaid concrete bulkhead and along the waters of Thoms Cove, the two following courses and distances, viz.:

(1) South 22 degrees 22' 30" West 22.64 feet, and
(2) North 66 degrees 42' 00" West 6.75 feet;
thence binding along the waters of Thoms Cove the
three following courses and distances, viz.:

(1) South 17 degrees 13' 50" West 34.13 feet,
(2) North 68 degrees 01' 00" West 60.96 feet, and
(3) North 12 degrees 38' 10" West 30.77 feet, to a
point; thence North 64 degrees 10' 10" West 220.00
feet to the place of beginning.

BEING land acquired by the United States of
America by deed dated March 12, 1921 from the
Mayor and City Council of Baltimore, Maryland,
recorded among the Land Records of Baltimore City
in S.C.L. 3737 at Folio 14.

PORTION OF LIGHTHOUSE LOT AND SPRING LOT—PARCEL II

BEGINNING for the same at an iron bar found
planted at corner "A" of that parcel of land known
as the Lighthouse Lot as shown on a Plat entitled,
"Survey of Hawkins Point Terminal Facilities—
Thoms Cove—Baltimore Harbor Maryland," said
Plat being recorded among the Land Records of
Baltimore City, Maryland in Pocket Folder J.F.C.
1129; and running thence referring all courses to
the True Meridian as established by the Baltimore
City Topographical Survey Commission and binding
along part of the southeasterly outlines of the Light-
house Lot, as shown on the aforesaid Plats, South 20
degrees 49' 50" West 228.27 feet to a point thereon;
thence running for lines of division, as now drawn,
the three following courses and distances, viz.:

(1) North 69 degrees 11' 10" West, parallel to
and distant 2.6 feet northeasterly from the base of
the concrete pillars supporting the Brewerton
Channel Rear Range Light, 21.00 feet to a point,

(2) South 20 degrees 49' 50" West, parallel to and
distant 3.3 feet northwesterly from the base of the

concrete pillars supporting the Brewerton Channel Rear Range Light, 21.00 feet to a point, and

(3) South 69 degrees 11' 10" East, parallel to and distant 2.3 feet southwesterly from the base of the concrete pillars supporting the Brewerton Channel Rear Range Light 21.00 feet to a point on the southeasterly outlines of the aforesaid Lighthouse Lot; thence binding along part of the southeasterly outlines of said Lighthouse Lot South 20 degrees 49' 50" West 82.73 feet to corner "J", the northwesterly corner of that parcel of land known as the Spring Lot, as shown on the aforesaid Plats; thence binding along the outlines of the aforesaid Spring Lot as shown on the aforesaid Plats the six following courses and distances, viz.:

(1) South 69 degrees 10' 10" East 25.00 feet to corner "I",

(2) South 20 degrees 49' 50" West 110.00 feet to corner "H",

(3) South 68 degrees 34' 10" West 145.00 feet to corner "G",

(4) North 21 degrees 25' 50" West 25.00 feet to corner "F",

(5) North 68 degrees 34' 10" East 133.93 feet to corner "E", and

(6) North 20 degrees 49' 50" East 30.94 feet to corner "D", the southeasterly corner of the aforesaid Lighthouse Lot, thence binding along the southerly outlines of said Lighthouse Lot North 69 degrees 11' 10" West 100.00 feet to corner "C", as shown on the aforesaid Plats; thence binding along part of said southeasterly outlines and along the northwesterly outlines of the aforesaid Lighthouse Lot North 20 degrees 49' 50" East 400.00 feet to corner "B", as shown on the aforesaid Plats; thence binding along the northerly outlines of the aforesaid Lighthouse Lot South 69 degrees 11' 10" East 100.00 feet to the place of beginning.

TOGETHER WITH any improvements thereupon, erected, made, or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances, and advantages, to the same belonging or in anywise appertaining.

EXCEPTING AND RESERVING from and out of the herein described property, for the benefit of the United States of America, a plot of ground 21 feet square located on the aforesaid Lighthouse Lot on which is located a steel tower and the Brewerton Channel Light used as a warning light for navigation; and reserving the right of ingress and egress to and from said plot of ground over and across the property herein described by means of existing roads or otherwise for the purpose of maintenance and operation of said warning light; also reserving an easement for an electric cable over and across the land herein described to provide said warning light with electricity and power; said land to be reserved and excepted being more fully described as follows:

EXCEPTED CHANNEL LIGHT PLOT

BEGINNING for the same at a point on the southeasterly outlines of that parcel of land known as the Lighthouse Lot as shown on a Plat entitled, "Survey of Hawkins Point Terminal Facilities—Thoms Cove—Baltimore Harbor Maryland," said Plat being recorded among the Land Records of Baltimore City, Maryland, in Pocket Folder J.F.C. 1129, distant South 20 degrees 49 minutes 50 seconds West 228.27 feet from corner "A", the northeasterly corner of the aforesaid Lighthouse Lot, as shown on said Plat, and running thence for lines of division, as now drawn, and referring the following courses to the True Meridian as established by the Baltimore City Topographical Survey Commission, the three following courses and distances, viz.: (1) North 69 degrees 11 minutes 10 seconds West, parallel to and distant 2.6 feet northeasterly from the base of the concrete pillars supporting the Brewerton Channel Rear Range Light, 21.00 feet to a point, (2) South 20

degrees 49 minutes 50 seconds West, parallel to and distant 3.3 feet northwesterly from the base of the concrete pillars supporting the Brewerton Channel Rear Range Light, 21.00 feet to a point, and (3) South 69 degrees 11 minutes 10 seconds East, parallel to and distant 2.3 feet southwesterly from the base of the concrete pillars supporting the Brewerton Channel Rear Range Light 21.00 feet to a point on the southeasterly outlines of the aforesaid Lighthouse Lot, said point being distant 82.73 feet northeasterly from corner "J", as shown on the aforesaid Plat; thence binding along the said southeasterly outlines of said Lighthouse Lot North 20 degrees 49 minutes 50 seconds East parallel to and distant 1.6 feet southeasterly from the base of the concrete pillars supporting the Brewerton Channel Rear Range Light 21.00 feet to the place of beginning.

5. At any time after five (5) years from the date of this Agreement, the Board of Estimates of Baltimore City may terminate this Agreement after having given the Authority at least six months prior notice in writing; provided, however, that if prior to such notice a portion of the property described in Paragraph 4 hereof is under lease for a period which is not in excess of five (5) years (including any renewal period or periods for which the term of the lease may be extended at the sole option of the lessee) such termination shall not become effective as to such leased portion of said property until the expiration of said lease.

IN WITNESS WHEREOF the City and the Authority have respectively caused this Agreement to be duly executed as of the day and year first above written.

MAYOR AND CITY COUNCIL OF BALTIMORE

By

Attest: Mayor

.....
Treasurer

MARYLAND PORT AUTHORITY

By

Attest: Chairman

.....

Secretary

Approved as to form and legal sufficiency, this day of , 1963:

.....

City Solicitor

Submitted to and approved by the Board of Estimates, this day of , 1963:

.....

President

.....

Mayor

.....

Comptroller

.....

Director of Public Works

.....

City Solicitor

SEC. 2. And be it further ordained, That the foregoing Agreement shall be and become binding upon the Mayor and City Council of Baltimore upon its execution on behalf of said Mayor and City Council of Baltimore by the Mayor of Baltimore City, and upon its execution on behalf of Maryland Port Authority by the Chairman of said Authority, after the approval thereof as to form and legal sufficiency by the City Solicitor of Baltimore and the approval thereof by the Board of Estimates, duly endorsed in spaces provided therefor on said Agreement.

SEC. 3. And be it further ordained, That this ordinance shall take effect from the date of its passage.

Approved May 9, 1963.

PHILIP H. GOODMAN, Mayor.

No. 1662

(Council No. 2494)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore, of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely for the construction and maintenance of highway improvements thereon (1) to facilitate traffic movements along Wabash Avenue from Belle Avenue to the Western Boundary of Baltimore City established 1918, (2) to adjust alignment from Ridgewood Avenue to Lewin Avenue for the purpose of minimizing damages to certain abutting properties, (3) to extend the Northern Parkway leg of its interchange with Wabash Avenue for the purpose of simplifying negotiation with the property owner and (4) to widen Patterson Avenue at Wabash Avenue Interchange for the purpose of simplifying traffic movements at this intersection and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the construction and maintenance of said highway improvements; and authorizing the making of all necessary agreements concerning said highway improvements, and authorizing the construction of said highway improvements; the location and course of said highway improvements being shown on a plat thereof numbered 183-A-34A, prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the 18th Day of March, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That it is necessary to acquire by purchase or condemnation, for public highway purposes, namely, for the construction and maintenance of highway improvements thereon, (1) to

facilitate traffic movements along Wabash Avenue from Belle Avenue to the Western Boundary of Baltimore City established 1918, (2) to adjust alignment from Ridgewood Avenue to Lewin Avenue for the purpose of minimizing damages to certain abutting properties, (3) to extend the Northern Parkway leg of its interchange with Wabash Avenue for the purpose of simplifying negotiation with the property owners and (4) to widen Patterson Avenue at Wabash Avenue Interchange for the purpose of simplifying traffic movements at this intersection, the fee simple interests or such other interests as the Director of Public Works may deem necessary in and to pieces or parcels of land, situate in Baltimore City including the improvements thereon, bounded as follows:

Beginning for parcel No. 1 at the point formed by the intersection of the northeast side of Dorithan Road, 50 feet wide, and the southeast side of Belle Avenue, 60 feet wide, and running thence North $66^{\circ}-22'-26''$ East 96.91 feet; thence for new line of division South $36^{\circ}-52'-50''$ West 100.43 feet to intersect the northeast side of said Dorithan Road and thence North $34^{\circ}-28'-51''$ West, binding on the northeast side of said Dorithan Road, 50.35 feet to the place of beginning.

Containing 5,077.76 square feet of land, more or less.

Beginning for parcel No. 2 at the point formed by the intersection of the southeast side of Cold Spring Lane, 50 feet wide, and the southwest side of Wabash Avenue, as authorized 100 feet wide, under Ordinance No. 1410, approved April 14, 1955, and running thence South $34^{\circ}-39'-10''$ East, binding on the southwest side of said Wabash Avenue, 20.79 feet; thence for new line of division by a line curving to the left, with a 24.0 foot radius the distance of 34.27 feet, which arc is subtended by a chord bearing North $75^{\circ}-33'-21''$ West 31.43 feet to intersect the southeast side of said Cold Spring Lane and thence North $63^{\circ}-32'-28''$ East, binding

on the southeast side of said Cold Spring Lane, 20.79 feet to the place of beginning.

Containing 87.83 square feet of land, more or less.

Beginning for parcel No. 3 at the point formed by the intersection of the southwest side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and the northwest side of Cold Spring Lane, 50 feet wide, and running thence South $63^{\circ}-32'-28''$ West, binding on the northwest side of said Cold Spring Lane 27.70 feet; thence for new line of division by a line curving to the left, with a 24.0 foot radius the distance of 41.13 feet, which arc is subtended by a chord bearing North $14^{\circ}-26'-39''$ East 36.28 feet to intersect the southwest side of said Wabash Avenue and thence South $34^{\circ}-39'-10''$ East, binding on the southwest side of said Wabash Avenue, 27.70 feet to the place of beginning.

Containing 71.34 square feet of land, more or less.

Beginning for parcel No. 4 at the point formed by the intersection of the northwest side of Cold Spring Lane, 50 feet wide, and the northeast side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and running thence North $34^{\circ}-39'-10''$ West, binding on the northeast side of said Wabash Avenue, 20.79 feet; thence for new line of division by a line curving to the left, with a 24.0 foot radius the distance of 34.27 feet, which arc is subtended by a chord bearing South $75^{\circ}-33'-21''$ East 31.43 feet to intersect the northwest side of said Cold Spring Lane and thence South $63^{\circ}-32'-28''$ West, binding on the northwest side of said Cold Spring Lane, 20.79 feet to the place of beginning.

Containing 87.83 square feet of land, more or less.

Beginning for parcel No. 5 at the point formed by the intersection of the east side of Granada

Avenue, 50 feet wide, and the southwest side of Kennison Avenue, 50 feet wide, and running thence South $68^{\circ}-30'-30''$ East, binding on the southwest side of said Kennison Avenue, 24.99 feet; thence for new line of division by a line curving to the left, with a 17.0 foot radius the distance of 33.09 feet, which arc is subtended by a chord bearing South $55^{\circ}-43'-15''$ West 28.11 feet to intersect the east side of said Granada Avenue and thence North $00^{\circ}-03'-00''$ West, binding on the east side of said Granada Avenue, 24.99 feet to the place of beginning.

Containing 146.79 square feet of land, more or less.

Beginning for parcel No. 6 at the point formed by the intersection of the southwest side of Wabash Avenue as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and the west side of Granada Avenue, 50 feet wide, and running thence South $00^{\circ}-03'-00''$ East, binding on the west side of said Granada Avenue 16.33 feet; thence for new line of division by a line curving to the left, with a 24.0 foot radius the distance of 28.68 feet, which arc is subtended by a chord bearing North $34^{\circ}-16'-45''$ West 27.00 feet to intersect the southwest side of said Wabash Avenue and thence South $68^{\circ}-30'-30''$ East, binding on the southwest side of said Wabash Avenue 16.33 feet to the place of beginning.

Containing 57.76 square feet of land, more or less.

Beginning for parcel No. 7 at the point formed by the intersection of the east side of Eldorado Avenue, 60 feet wide, and the south side of Wabash Avenue as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and running thence binding on the south side of said Wabash Avenue by a line curving to the right, with a 1,000.0 foot radius the distance of 28.49 feet, which arc is subtended by a chord bearing South $80^{\circ}-57'-00.5''$ East 28.49 feet; thence for new line

of division by a line curving to the left, with a 24.0 foot radius the distance of 41.85 feet, which arc is subtended by a chord bearing South $49^{\circ}-54'-29''$ West 36.75 feet to intersect the east side of said Eldorado Avenue and thence North $00^{\circ}-03'-00''$ West, binding on the east side of said Eldorado Avenue, 28.15 feet to the place of beginning.

Containing 178.85 square feet of land, more or less.

Beginning for parcel No. 8 at the point formed by the intersection of the south side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and the west side of Eldorado Avenue, 60 feet wide, and running thence South $00^{\circ}-03'-00''$ East, binding on the west side of said Eldorado Avenue, 22.30 feet; thence for new line of division, by a line curving to the left, with a 24.0 foot radius the distance of 36.22 feet, which arc is subtended by a chord bearing North $43^{\circ}-17'-09''$ West 32.88 feet to intersect the south side of said Wabash Avenue and thence binding on the south side of said Wabash Avenue by a line curving to the right, with a 1,000.0 foot radius the distance of 22.58 feet, which arc is subtended by a chord bearing South $85^{\circ}-52'-27''$ East 22.58 feet to the place of beginning.

Containing 104.88 square feet of land, more or less.

Beginning for parcel No. 9 at a point on the north side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, at the distance of 3.50 feet westerly measured along the north side of said Wabash Avenue, from the northeast corner of said Wabash Avenue and Eldorado Avenue, 60 feet wide, and running thence binding on the north side of said Wabash Avenue by a line curving to the left, with a 1,100.0 foot radius the distance of 17.69 feet, which arc is subtended by a chord bearing North $86^{\circ}-18'-33''$ West 17.69 feet; thence for new line of division by

a line curving to the left, with a 20.0 foot radius the distance of 10.10 feet, which arc is subtended by a chord bearing North $78^{\circ}-45'-46''$ East 9.99 feet to intersect the division line between the properties of Gilbert S. Hasty and wife and the Western Maryland Railway Company and thence South $68^{\circ}-30'-30''$ East, binding on part of said division line, 8.45 feet to the place of beginning.

Containing 17.98 square feet of land, more or less.

Beginning for parcel No. 10 at the point formed by the intersection of the east side of Hillsdale Road, 50 feet wide, and the south side of Wabash Avenue as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and running thence North $89^{\circ}-57'-00''$ East, binding on the south side of said Wabash Avenue, 14.0 feet; thence for new line of division by a line curving to the left, with a 14.0 foot radius the distance of 21.99 feet, which arc is subtended by a chord bearing South $44^{\circ}-57'-00''$ West 19.80 feet to intersect the east side of said Hillsdale Road and thence North $00^{\circ}-03'-00''$ West, binding on the east side of said Hillsdale Road, 14.0 feet to the place of beginning.

Containing 32.06 square feet of land, more or less.

Beginning for parcel No. 11 at the point formed by the intersection of the south side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955 and the west side of Hillsdale Road, 50 feet wide, and running thence South $00^{\circ}-03'-00''$ East, binding on the west side of said Hillsdale Road, 23.73 feet; thence for new line of division, by a line curving to the left, with a 24.0 foot radius the distance of 37.16 feet, which arc is subtended by a chord bearing North $44^{\circ}-24'-35.5''$ West 33.56 feet to intersect the south side of said Wabash Avenue and thence binding on the south side of said Wabash Avenue by a line curving to the left, with a 1,050.0 foot radius

the distance of 23.46 feet, which arc is subtended by a chord bearing South $89^{\circ}-24'-35.5''$ East 23.46 feet to the place of beginning.

Containing 130.67 square feet of land, more or less.

Beginning for parcel No. 12 at the point formed by the intersection of the northwest side of Rogers Avenue, 80 feet wide, and the northeast side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and running thence binding on the northeast side of said Wabash Avenue by a line curving to the right, with a 950.0 foot radius the distance of 35.18 feet, which arc is subtended by a chord bearing North $43^{\circ}-57'-28''$ West 35.18 feet; thence for new line of division by a line curving to the left, with a 24.0 foot radius the distance of 46.82 feet, which arc is subtended by a chord bearing North $81^{\circ}-12'-42''$ East 39.74 feet to intersect the northwest side of said Rogers Avenue and thence South $25^{\circ}-19'-14''$ West, binding on the northwest side of said Rogers Avenue, 34.73 feet to the place of beginning.

Containing 280.75 square feet of land, more or less.

Beginning for parcel No. 13 at the point formed by the intersection of the northwest side of Patterson Avenue, 40 feet wide, and the northeast side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and running thence binding on the northeast side of said Wabash Avenue by a line curving to the left, with a 5,780.0 foot radius the distance of 149.49 feet, which arc is subtended by a chord bearing North $65^{\circ}-59'35''$ West 149.49 feet; thence for new lines of division the two following courses and distances, namely, by a line curving to the left with a 200.0 foot radius the distance of 228.24 feet, which arc is subtended by a chord bearing South $80^{\circ}-34'-24''$ East 216.05 feet and North $47^{\circ}-52'-50''$ East 24.99 feet to intersect the southwest side of the

Western Maryland Railway Company's Right-of-way, there situate; thence binding on the southwest side of said Railway Right-of-way by a line curving to the right with a 2,831.92 foot radius the distance of 22.16 feet, which arc is subtended by a chord bearing South $67^{\circ}-38'-09''$ East 22.16 feet to intersect the northwest side of said Patterson Avenue and thence South $47^{\circ}-52'-50''$ West, binding on the northwest side of said Patterson Avenue, 155.86 feet to the place of beginning.

Containing 6,041.77 square feet of land, more or less.

Beginning for parcel No. 14 at the point formed by the intersection of the northeast side of Wabash Avenue, as authorized 100 feet wide under Ordinance No. 1410, approved April 14, 1955, and the southeast side of Patterson Avenue, 40 feet wide, and running thence North $47^{\circ}-52'-50''$ East 116.89 feet; thence for new lines of division the two following courses and distances, namely, by a line curving to the left, with a 75.0 foot radius the distance of 118.35 feet, which arc is subtended by a chord bearing South $02^{\circ}-40'-25''$ West 106.45 feet and by a line curving to the left, with a 150.0 foot radius the distance of 54.74 feet, which arc is subtended by a chord bearing South $52^{\circ}-59'-15''$ East 54.44 feet to intersect the northeast side of said Wabash Avenue and thence binding on the northeast side of said Wabash Avenue by a line curving to the left with a 5,780.0 foot radius the distance of 139.16 feet, which arc is subtended by a chord bearing North $64^{\circ}-07'-55''$ West 139.16 feet to the place of beginning.

Containing 3,393.20 square feet of land, more or less.

Beginning for parcel No. 15 at the point formed by the intersection of the southeast side of Patterson Avenue, 40 feet wide, and the southwest side of Wabash Avenue, as authorized 100 feet wide,

under Ordinance No. 1410, approved April 14, 1955, and running thence binding on the southwest side of said Wabash Avenue by a line curving to the right, with a 5,680.0 foot radius the distance of 138.43 feet, which arc is subtended by a chord bearing South $64^{\circ}-32'-46''$ East 138.43 feet; thence for new lines of division the three following courses and distances, namely, by a line curving to the left, with a 200.0 foot radius the distance of 238.31 feet, which arc is subtended by a chord bearing South $82^{\circ}-00'-59''$ West 224.46 feet, South $47^{\circ}-52'-50''$ West 191.10 feet and North $42^{\circ}-07'-10''$ West 1.99 feet to intersect the southeast side of said Patterson Avenue and thence North $47^{\circ}-52'-50''$ East, binding on the southeast side of said Patterson Avenue, 324.08 feet to the place of beginning.

Containing 3,783.57 square feet of land, more or less.

Beginning for parcel No. 16 at the point formed by the intersection of the northwest side of Patterson Avenue, 40 feet wide, and the northeast side of the Western Maryland Railway Company's Right-of-way, there situate, said point being distant 228.67 feet northeasterly from the northeast corner of said Patterson Avenue and Wabash Avenue, 100 feet wide, and running thence binding on the northeast side of said Railway Right-of-way by a line curving to the left, with a 2,897.92 foot radius the distance of 22.04 feet, which arc is subtended by a chord bearing North $67^{\circ}-00'-52''$ West 22.04 feet; thence for new line of division North $47^{\circ}-52'-50''$ East 180.08 feet to intersect the southwest end of Patterson Avenue, as now laid out 60 feet wide; thence South $49^{\circ}-17'-18''$ East, binding on the southwest end of said Patterson Avenue, 20.16 feet to intersect the northwest side of said first mentioned Patterson Avenue, 40 feet wide, and thence South $47^{\circ}-52'-50''$ West, binding on the northwest side of said Patterson Avenue, 40 feet wide, 173.31 feet to the place of beginning.

Containing 3,533.95 square feet of land, more or less.

Beginning for parcel No. 17 at the point formed by the intersection of the southwest side of Vincennes Avenue, 60 feet wide, and the northwest side of Patterson Avenue, 40 feet wide, and running thence South $47^{\circ}-52'-50''$ West 110.00 feet to intersect the division line between the properties of Bridget Rossiter "et al" and John Rossiter and wife; said division line, 8.01 feet; thence for new line of thence North $42^{\circ}-07'-10''$ West, binding on part of division North $47^{\circ}-52'-50''$ East 110.00 feet to intersect the southwest side of said Vincennes Avenue and thence South $42^{\circ}-07'-10''$ East binding on the southwest side of said Vincennes Avenue, 8.01 feet to the place of beginning.

Containing 880.66 square feet of land, more or less.

Beginning for parcel No. 18 at the point formed by the intersection of the northwest side of Patterson Avenue, 40 feet wide, and the northeast side of Armstrong Avenue, 60 feet wide, and running thence North $42^{\circ}-07'-10''$ West, binding on the northeast side of said Armstrong Avenue, 8.01 feet; thence for new line of division North $47^{\circ}-52'-50''$ East 110.0 feet to intersect the division line between the properties of Bridget Rossiter "et al" and John Rossiter and wife; thence South $42^{\circ}-07'-10''$ East, binding on part of said division line, 8.01 feet to intersect the northwest side of said Patterson Avenue and thence South $47^{\circ}-52'-50''$ West, binding on the northwest side of said Patterson Avenue, 110.00 feet to the place of beginning.

Containing 880.66 square feet of land, more or less.

Beginning for parcel No. 19 at a point on the southeast side of Northern Parkway as authorized under Ordinance No. 1410, approved April 14, 1955, at the distance of South $75^{\circ}-13'-40''$ West 628.72

feet from the point formed by the intersection of the southeast side of said Northern Parkway and the southwest side of Wabash Avenue as authorized under the aforesaid Ordinance and running thence binding on the line of the southeast side of said Northern Parkway, producing the same southwesterly, South $75^{\circ}-13'-40''$ West 799.85 feet to intersect the westernmost outline of the property of the Chizuk Amuno Congregation; thence North $04^{\circ}-43'-00''$ West, binding on part of said outline, 101.56 feet to intersect a line drawn parallel with and distant 100.00 feet northwesterly, measured at right angles from the first line of this description; thence reversing said line so drawn and binding thereon North $75^{\circ}-13'-40''$ East 798.10 feet and thence South $14^{\circ}-46'-20''$ East, 100.00 feet to the place of beginning.

Containing 1.8342 acres of land, more or less.

Beginning for parcel No. 20 at a point in the fifth line of the parcel of land conveyed by Hillard P. Albert to Floyd R. Crisp and wife by deed dated October 12, 1962, and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 1372, folio 505, at the distance of 1.91 feet southeasterly from the end of the fifth line of said deed or the point formed by the intersection of the southeast side of a 12 foot Alley laid out parallel with and distant 310.67 feet southeasterly from and measured at right angles to the southeast side of Fernhill Avenue, produced northeasterly and the northeast side of another 12 foot Alley laid out parallel with and distant 100.0 feet northeasterly measured at right angles from the northeast side of Columbus Drive, and running thence South $52^{\circ}-11'-10''$ East, binding reversely on part of the fifth line of said deed, 28.30 feet; thence South $59^{\circ}-37'-40''$ West, binding reversely on part of the fourth line of said deed, 3.87 feet and thence for new line of division by a line curving to the left, with a 1,382.47 foot radius northwesterly the distance of 28.0 feet to the place of beginning.

Containing 56.0 square feet of land, more or less.

Beginning for parcel No. 21 at the point formed by the intersection of the northeast side of a 12 foot Alley laid out parallel with and distant 100.0 feet northeasterly, measured at right angles from the northeast side of Columbus Drive and the southeast side of a 13 foot Alley laid out parallel with and distant 50.0 feet southeasterly, measured at right angles from the center line of Fernhill Avenue, produced northeasterly, and running thence North $37^{\circ}-31'-31''$ East binding on the line of southeast side of said 13 foot Alley, 10.00 feet to intersect the northeast side of an Alley 12 feet wide laid out parallel with and distant 110.0 feet northeasterly, measured at right angles from the northeast side of said Columbus Drive; thence North $52^{\circ}-28'-29''$ West, binding on the northeast side of said last mentioned Alley, 13.0 feet to intersect the line of the northwest side of the first mentioned 13 foot Alley, produced northeasterly; thence North $37^{\circ}-31'-31''$ East binding on said line so produced, 23.96 feet to intersect the southwesternmost outline of the property of the Western Maryland Railway Company there situate; thence South $49^{\circ}-28'-20''$ East, binding on the southwest outline of said Railway Company property 123.50 feet; thence South $37^{\circ}-31'-31''$ West 27.49 feet to intersect the northeast side of said first mentioned 12 foot Alley and thence North $52^{\circ}-28'-29''$ West, binding on the northeast side of said Alley, 110.33 feet to the place of beginning.

Containing 3,657.0 square feet of land, more or less.

Beginning for parcel No. 22 at the point formed by the intersection of the northeast side of an Alley, 25 feet wide, laid out parallel with and distant 100.0 feet northeasterly, measured at right angles from the northeast side of Columbus Drive and a line drawn parallel with and distant 59.67 feet northwesterly from the center line of Fernhill Avenue produced northeasterly and running thence North

52°-28'-29" West, binding on the northeast side of said Alley, 180.00 feet; thence North 37°-31'-31" East, by a line drawn parallel with the center line of said Fernhill Avenue, so produced, 24.00 feet to intersect the southwesternmost outline of the property of the Western Maryland Railway Company, there situate; thence binding on the southwest outline of said Railway Company property, by a line curving to the right, with a 1,745.08 foot radius, the distance of 180.10 feet, which arc is subtended by a chord bearing South 53°-10'-30" East 180.01 feet to intersect the aforesaid line drawn parallel with an distant 59.67 feet northwesterly from the center line of said Fernhill Avenue so produced and thence reversing said line so drawn and binding thereon South 37°-31'-31" West 26.20 feet to the place of beginning.

Containing 4,808.0 square feet of land, more or less.

Beginning for parcel No. 23 an easement at the point formed by the intersection of the northwest side of Patterson Avenue, 40 feet wide, and the southwest side of the Western Maryland Railway Company's Right-of-way, there situate, said point being distant 155.86 feet northeasterly from the northeast corner of said Patterson Avenue and Wabash Avenue, 100 feet wide, and running thence by a line curving to the left, with a 2,831.92 foot radius the distance of 22.16 feet, which arc is subtended by a chord bearing North 67°-38'-09" West 22.16 feet to intersect a line drawn parallel with and distant 20 feet northwesterly measured at right angles from the northwest side of said Patterson Avenue; thence North 47°-52'-50" East, binding on said line so drawn 73.08 feet to intersect the northeast outline of said Railway Company's Right-of-way; thence binding on the northeast outline of said Railway Right-of-way by a line curving to the right with a 2,897.92 foot radius the distance of 22.04 feet, which arc is subtended by a chord bearing South 67°-00'-52" East 22.04 feet to intersect

the northwest side of said Patterson Avenue and thence South $47^{\circ}-52'-50''$ West, binding on the northwest side of said Patterson Avenue, 72.81 feet to the place of beginning.

Containing 1,458.50 square feet of land, more or less.

Beginning for parcel No. 24 an easement at a point on the southwest side of Wabash Avenue, as authorized, 100 feet wide under Ordinance No. 1410, approved April 14, 1955, at the distance of 314.56 feet southeasterly, measured along the southwest side of said Wabash Avenue from the point formed by the intersection of the southwest side of said Wabash Avenue and the southeast side of Patterson Avenue, 40 feet wide, and running thence, binding on the southwest side of said Wabash Avenue by a line curving to the right, with a 5,680.0 foot radius the distance of 83.31 feet, which arc is subtended by a chord bearing South $61^{\circ}-39'-04''$ East 83.31 feet and thence for new lines of division the three following courses and distances, namely, by a line curving to the left, with a 24.0 foot radius the distance of 34.23 feet, which arc is subtended by a chord bearing South $77^{\circ}-54'-38''$ West 31.40 feet, North $73^{\circ}-12'-43''$ West 36.24 feet and by a line curving to the left, with a 24.0 foot radius the distance of 41.52 feet, which arc is subtended by a chord bearing North $12^{\circ}-30'-35''$ West 36.53 feet to the place of beginning.

Containing 1,094.67 square feet of land, more or less.

Beginning for parcel No. 25 at the point formed by the intersection of the southwest side of Wabash Avenue, 100 feet wide as authorized under Ordinance No. 1410, approved April 14, 1955 and the southeast side of the Northern Parkway as authorized under the aforesaid Ordinance and running thence, South $42^{\circ}-51'-00''$ East, binding on the southwest side of said Wabash Avenue, 56.40 feet, thence for a new line of division, by a line curving

to the left with a radius of 94.0 feet, the distance of 101.59 feet, which arc is subtended by a chord bearing North $73^{\circ}-48'-40''$ West 96.72 feet to intersect the southeast side of said Northern Parkway and thence North $75^{\circ}-13'-40''$ East, binding on said southeast side, 56.40 feet to the place of beginning.

Containing 526.75 square feet of land, more or less.

Beginning for parcel No. 26 at the point formed by the intersection of the southwest side of Wabash Avenue, 100 feet wide, as authorized under Ordinance No. 1410, approved April 14, 1955 and the northwest side of Ridgewood Avenue, 50 feet wide, and running thence South $63^{\circ}-32'-28''$ West, binding on the northwest side of said Ridgewood Avenue, 26.02 feet; thence for a new line of division by a line curving to the left with a radius of 21.53 feet the distance of 38.08 feet which arc is subtended by a chord bearing North $12^{\circ}-52'-51''$ East 33.31 feet to intersect the southwest side of said Wabash Avenue and thence binding on said southwest side by a line curving to the right with a radius of 1,382.47 feet the distance of 26.22 feet which arc is subtended by a chord bearing South $37^{\circ}-14'-10''$ East 26.22 feet to the place of beginning.

Containing 152.47 square feet of land, more or less.

Beginning for parcel No. 27 at the point formed by the intersection of the southwest side of Wabash Avenue, 100 feet wide, as authorized under Ordinance No. 1410 approved April 14, 1955 and the northwest side of Lewin Avenue, 50 feet wide, and running thence South $29^{\circ}-28'-20''$ West, binding on the northwest side of said Lewin Avenue, 0.65 feet to intersect the southwest outline of the property of the Western Maryland Railway Company; thence North $68^{\circ}-30'-30''$ West, binding on said southwest outline, 20.50 feet; thence for a new line of division north $22^{\circ}-45'-10''$ East 1.10 feet to intersect the southwest side of said Wabash Avenue and thence

South $67^{\circ}-14'-50''$ East, binding on said southwest side, 20.57 feet to the place of beginning.

Containing 17.97 square feet of land, more or less.

Beginning for parcel No. 28 at the point formed by the intersection of the southwest side of Wabash Avenue, 100 feet wide, as authorized under Ordinance No. 1410 approved April 14, 1955 and the northwest side of Garrison Avenue, 60 feet wide, and running thence South $33^{\circ}-59'-10''$ West, binding on said northwest side, 30.74 feet; thence for a new line of division by a line curving to the left with a radius of 24.0 feet the distance of 43.71 feet which arc is subtended by a chord bearing North $18^{\circ}-11'-14''$ West 37.91 feet to intersect the southwest side of said Wabash Avenue and thence binding on said southwest side by a line curving to the right with a radius of 2,815.0 feet the distance of 30.87 feet which arc is subtended by a chord bearing South $70^{\circ}-02'-46.5''$ East 30.87 feet to the place of beginning.

Containing 215.55 square feet of land, more or less.

Beginning for parcel No. 29 at the point formed by the intersection of the northeast side of Wabash Avenue, 100 feet wide, as authorized under Ordinance No. 1410 approved April 14, 1955 and the southeast side of Belvedere Avenue, 60 feet wide, and running thence North $42^{\circ}-38'-00''$ East, binding on said southeast side, 39.32 feet; thence for a new line of division by a line curving to the right with a radius of 24.0 feet the distance of 49.09 feet which arc is subtended by a chord bearing South $15^{\circ}-58'-00''$ East 40.97 feet to intersect the northeast side of said Wabash Avenue and thence North $74^{\circ}-34'-00''$ West, binding on said northeast side, 39.32 feet to the place of beginning.

Containing 354.58 square feet of land, more or less.

Beginning for parcel No. 30 at the point formed by the intersection of the northeast side of Wabash Avenue, 100 feet wide, as authorized under Ordinance No. 1410 approved April 14, 1955 and the northwest side of Belvedere Avenue, 60 feet wide and running thence North $74^{\circ}-34'-00''$ West, binding on said northwest side, 15.26 feet; thence for a new line of division by a line curving to the left with a radius of 25.0 feet the distance of 27.40 feet which arc is subtended by a chord bearing North $74^{\circ}-02'-00''$ East 26.05 feet to intersect the northwest side of said Belvedere Avenue and thence South $42^{\circ}-38'-00''$ West, binding on said northwest side, 15.26 feet to the place of beginning.

Containing 38.65 square feet of land, more or less.

Beginning for parcel No. 31 at the point formed by the intersection of the north side of Wabash Avenue, 100 feet wide, as authorized under Ordinance No. 1410 approved April 14, 1955 and the east side of Eldorado Avenue, 60 feet wide, and running thence North $00^{\circ}-03'-00''$ West, binding on said east side, 17.41 feet; thence for a new line of division by a line curving to the left with a radius of 20.0 feet the distance of 28.48 feet which arc is subtended by a chord bearing South $40^{\circ}-50'-17''$ East 26.13 feet to intersect the north side of said Wabash Avenue and thence binding on said north side by a line curving to the left with a radius of 1,100.0 feet the distance of 17.24 feet which arc is subtended by a chord bearing North $82^{\circ}-04'-29.5''$ West 17.24 feet to the place of beginning.

Containing 61.72 square feet of land, more or less.

Beginning for parcel No. 32 at the point formed by the intersection of the southwest outline of the property of the Western Maryland Railway Company and the west side of Eldorado Avenue, 60 feet wide, said point of beginning being South $00^{\circ}-03'-00''$ East 1.12 feet from the point formed

by the intersection of the north side of Wabash Avenue, 100 feet wide, as authorized under Ordinance No. 1410 approved April 14, 1955 and the west side of said Eldorado Avenue and running thence North $68^{\circ}-30'-30''$ West, binding on said southwest outline 12.19 feet; thence for a new line of division by a line curving to the left with a radius of 20.0 feet the distance of 22.46 feet which arc is subtended by a chord bearing North $32^{\circ}-07'-22''$ East 21.30 feet to intersect the west side of said Eldorado Avenue and thence South $00^{\circ}-03'-00''$ East, binding on said west side, 22.49 feet to the place of beginning.

Containing 76.74 square feet of land, more or less.

The courses in the above descriptions are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the construction and maintenance of said highway improvements being shown on a plat thereof numbered 183-A-34A, prepared by the Bureau of Surveys, and filed in the office of the Director of Public Works on the

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or in the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained*, That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance,

the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the construction and maintenance of said highway improvements. If the said Director and Comptroller, or person or persons, are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purpose of said highway improvements.

SEC. 3. *And be it further ordained,* That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained,* That notwithstanding any other provisions of this Ordinance, the interests in and to the land to be condemned or otherwise acquired within said highway improvements owned by or in possession of any railroad company shall be only such interests as may be necessary for construction and maintaining in perpetuity said highway improvements and appurtenances in accordance with detailed plans therefor approved by the Director of Public Works of Baltimore City and without materially interfering with the operation of said railroad.

SEC. 5. *And be it further ordained,* That the said Director of Public Works and Comptroller, or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore any and all necessary agreements the railroads, street railways, the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said highway improvements; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 6. *And be it further ordained,* That nothing in this Ordinance contained shall be held, taken or construed as waiving or releasing any and all of the existing rights of the Mayor and City Council of Baltimore, or any of the existing obligations of any railroad company with regard to the said highway improvements.

SEC. 7. *And be it further ordained,* That after the necessary agreements have been made and the necessary property, land, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said highway improvements, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 8. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved May 9, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1663

(Council No. 2112)

An ordinance granting permission and authority to the Equitable Life Assurance Society of the United States and the Ten Light Street Corporation, bodies corporate, to construct, maintain and operate an electric snow-melting system at the west footway area of Light Street between Baltimore and Redwood Streets.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission is granted to the Equitable Life Assurance Society of the United States and the Ten Light Street Corporation, bodies corporate, their successors and assigns, hereinafter referred to as the Grantee, to construct, maintain and operate at its own cost and expense for a period not exceeding twenty-five years an electric snow-melting system and its appurtenances for the purpose of keeping the west footway area of Light Street between Baltimore and Redwood Streets clear and free of snow and ice. This system shall consist of a series of insulated electric coils embedded in concrete together with the necessary controls and switches, to be installed within the west footway area of Light Street between Baltimore and Redwood Streets.

SEC. 2. *And be it further ordained*, That the said electric snow-melting system and its appurtenances shall be constructed in accordance with the Building Code of Baltimore City; and shall be constructed and completed under the supervision and to the satisfaction of the Highways Engineer of Baltimore City or his duly authorized representative and shall be at all times hereafter subject to the regulation of, and control by, the Highways Engineer.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power at all times

to exercise in the interest of the public full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof.

SEC. 4. *And be it further ordained,* That said franchise or right granted by this ordinance shall be executed and enjoyed within six months after the grant.

SEC. 5. *And be it further ordained,* That the said Grantee, its successors and assigns, shall maintain the said electric snow-melting system and its appurtenances in good condition as long as it or they remain in said street.

SEC. 6. *And be it further ordained,* That the said Grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise privileges hereby granted, the sum of ten dollars (\$10.00) per annum, all charges to be payable in advance during the continuance of said franchise or privilege herein granted.

SEC. 7. *And be it further ordained,* That non-compliance, at any time or times, with any of the terms or conditions of the grant hereby made, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of the same, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 8. *And be it further ordained,* That the Mayor of Baltimore shall have the right, at any time or times, whenever in his judgment the public interests demand, to revoke any or all of the rights and privileges hereby granted, and upon the receipt of a notice in writing to that effect from the Mayor of Baltimore by the Grantee hereunder, its successors or assigns, all such rights shall cease and determine.

SEC. 9. *And be it further ordained,* That in the event of any revocation, forfeiture and/or termination of the rights and privileges by this ordinance granted said Grantee, its successors and assigns, shall, at its or their expense, promptly remove said electric snow-melting system and its appurtenances and shall, also, at its or their expense, promptly restore and repave said footway areas of said streets in a manner satisfactory to the Highways Engineer of Baltimore City, or his duly authorized representative.

SEC. 10. *And be it further ordained,* That the said Grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages or expenses to which said Mayor and City Council may, from time to time, be subjected, on account of, by reason of or in anywise resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, reconstruction, repair, location, relocation or removal of said electric snow-melting system and its appurtenances, or any of them; and/or

(b) Any failure on the part of said Grantee, its successors and assigns, to promptly and properly perform any or all of their duties or obligations under the terms and provisions of this ordinance.

SEC. 11. *And be it further ordained,* That this ordinance shall take effect from the date of its passage; provided, however, that if the work of constructing said electric snow-melting system is begun in advance of the passage and approval of this ordinance, the franchise charge therefor shall be effective as of the date of beginning of said construction.

Approved May 14, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1664

(Council No. 2354)

An ordinance to amend Sheet No. 45 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from "Residential Use District" to "First Commercial Use District" the area generally bounded by the center line of Wilson Street, the center line of Mason Street, a line parallel with and distant 20 feet more or less north of the north side of McMechen Street, and the center line of Jordan Street, all as outlined in red on the four Use District Plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That sheet No. 45 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), titled "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, and as otherwise amended, be and it is otherwise amended by changing from "Residential Use District" to "First Commercial Use District" the area generally bounded by the center line of Wilson Street, the center line of Mason Street, a line parallel with and distant 20 feet more or less north of the north side of McMechen Street, and the center line of Jordan Street, all as outlined in red on the four Use District Plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council and, upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the

ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 14, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1665

(Council No. 2355)

An ordinance to repeal Section 25 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said section was last amended by Ordinance 1363, approved November 15, 1962; and to ordain a new Section 25 in lieu thereof, to stand in the place of the section so repealed, incorporating into said Section 25 as contained in said Ordinance 1363, the provisions of Ordinance 1963, approved May 14, 1959, and the provisions of Ordinance 533, approved December 9, 1960, in order to clarify any possible doubts about the present provisions of said Section 25.

WHEREAS, in Ordinance 1363, approved November 15, 1962, Section 25 of Article 40 of the Baltimore City Code was amended; and

WHEREAS, although this has been the latest amendment to Section 25 of Article 40, the provisions of two earlier ordinances amending this section inadvertently were omitted from and not included in Ordinance 1363; and

WHEREAS, these two earlier ordinances are Ordinance 1963, approved May 14, 1959, which added a

new paragraph "O" to said Section 25; and also Ordinance 533, approved December 9, 1960, which added a new paragraph "P" to said Section 25; and

WHEREAS, although it is clear in Ordinance 1363, approved November 15, 1962, that Ordinances 1963 and 533 have not been repealed, it also is desirable to reordain the provisions of Section 25 of Article 40 in order that the entire present text of this section may appear in one ordinance; now, therefore

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 25 of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said section was last amended by Ordinance 1363, approved November 15, 1962, be and it is hereby repealed; and that new Section 25 be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, incorporating into said Section 25 as contained in said Ordinance 1363, the provisions of Ordinance 1963, approved May 14, 1959, and the provisions of Ordinance 533, approved December 9, 1960, and all to read as follows:

25.

Section 24, including the table, shall be subject to the following regulations:

A. The maximum number of families which may be housed on any lot shall not exceed the nearest integral number obtained by multiplying the acreage of such lot by the number of families per acre permitted in the area district where such lot is situated, provided, however, that in all cases there shall be at least sufficient area for a single family under the minimum prescribed in the table in Section 24. No building shall be constructed, extended or altered if such building as proposed to be constructed, extended or altered is arranged, intended or designed to be occupied by more than the number of families permitted on the lot.

B. In addition to the family per acre requirements of Sections 24 and 25A, no building may be erected

and no existing building may be altered or changed to be used for dwelling purposes or additional family units or apartments unless at least 420 square feet of usable, contiguous floor space in such building is provided for each family housed therein, except that for apartments housing not more than two people at least 240 square feet of usable, contiguous floor space shall be provided. However, in an A, B, C, or D Area district, any existing ordinary two-story dwelling may be used for occupancy by not more than two families, provided there are at least three hundred and fifty square feet of usable, contiguous floor space in such building for each family housed therein; and provided further, that this provision shall be construed so as not to prohibit the renting of a room without housekeeping facilities for use by not more than two persons in an ordinary two-story dwelling.

C. In the D-9 Area District not more than nine attached dwellings (each on a separate lot and each to be occupied by a single family) may be constructed as one group and for each end house of each such group, there shall be a side yard not less than seven feet wide, except that no side yard shall be required for the end house of a group which end house is on the corner of a street or alley, as defined by this Article.

D. In a D-Restricted Area District, at least one side yard shall be required for every building, provided, however, that for a detached building there shall be two side yards each of which shall be not less than ten feet wide; for a semi-detached building there shall be one side yard not less than fifteen feet wide, and for a group house (not less than three and not more than six single family habitations, designed and erected as a unit on a lot) there shall be two side yards, each of which shall be not less than fifteen feet wide.

E. For through lots no rear yard shall be required.

F. In computing the depth of a rear yard abutting

on an alley the measurement may include one-half the width of such alley.

G. On a lot less than one hundred feet deep, the depth of a rear yard required may be reduced one per cent for each one foot such lot is less than one hundred feet in depth, provided that such reduction, in no case, shall exceed one-half the required depth.

H. In an A Area District, for a building occupied for a Commercial or Industrial Use on the first floor, and occupied as a dwelling on any floor above the first floor, the rear yard may be computed and located at the level of the second floor, but at an elevation not exceeding fifteen feet, measured from the ground floor of such building.

I. In an A Area District, for a building occupied for a Commercial or Industrial Use on the first floor, and occupied as a dwelling on any floor above the first floor, the percentage of the area of the lot which may be occupied may be computed at the level of the second floor.

J. In computing the width of a side yard abutting on an alley, the measurement may include one-half the width of such alley.

K. Garages and accessory buildings hereafter constructed in D-Restricted, E, E-Restricted and F Area Districts shall not be required to have a rear yard

L. In an E Area District and in a Residential Use District, in a development containing three acres or more, the side yard required for a semi-detached building shall be not less than ten feet wide.

M. No building less than 16 feet in width, used in any part for dwelling purposes, shall be erected in Baltimore City.

N. Apartment houses designed and erected as a project with singleness of use and operation and with central heating and other facilities (commonly known as garden type apartments), shall be permitted in all area districts without providing a

separate lot for each structure or building involved in the project; provided, the area of such project shall cover at least five acres of land; that the number of families to be housed shall comply with the family per acre requirements of Sections 24 and 25 and provided further, that no building or structure shall be constructed nearer than twenty feet from any other building or structure in the project. Where such projects are constructed in the E, E-Restricted or F Area Districts, no building, garage, parking area or other facility shall be located nearer than 50 feet from any of the property lines of the project. Except as otherwise provided in this subsection the area and yard requirements for a tract of land to be used for the construction of garden type apartments shall be determined by the regulations for the area district in which such project is to be erected, using the entire project area as a lot or natural subdivisions thereof resulting from the location of streets or alleys within the project area.

O. In determining the number of families which may be housed on a lot, the percentage of lot area that may be covered, the required depths of front and rear yards and the required width of side yards under the provisions of this Article, there shall be included in such lot any portion of such lot which may be acquired by the Mayor and City Council of Baltimore for the purpose of providing open areas, in executing any Urban Renewal Plan approved in accordance with the provisions of Ordinance No. 692, approved December 31, 1956.

P. In an A Area District no building may be altered or the occupancy changed so as to house more than 80 families per acre, unless the building was originally designed, constructed and equipped as an apartment house for more than 6 families.

However, this provision shall not be construed to interfere with or restrict the number of families legally occupying buildings in an A Area District on the effective date of this ordinance.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 14, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1666

(Council No. 2496)

An ordinance authorizing the acquisition by purchase or condemnation by the Mayor and City Council of Baltimore of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely for the opening, widening, grading, construction and maintenance of St. Georges Avenue formerly known as Willow Avenue, 80 feet wide, from East Forty-third Street to the center line of a 15.0 foot alley produced southwesterly, said alley being laid out parallel to and 140 feet southeasterly from the southeast side of said Forty-third Street; and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said St. Georges Avenue; and authorizing the making of all necessary agreements concerning said St. Georges Avenue; and authorizing the construction of said St. Georges Avenue; the location and course of said St. Georges Avenue being shown on a plat thereof numbered 287-B-6C, prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the Eighteenth (18th) day of March, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is necessary to acquire

by purchase or condemnation for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of St. Georges Avenue formerly known as Willow Avenue, 80 feet wide, from East Forty-third Street to the center line of a 15.0 foot alley produced southwesterly, said alley being laid out parallel to and 140 feet southeasterly from the southeast side of said Forty-third Street; the fee simple interests or such other interests as the Director of Public Works may deem necessary, in and to the pieces or parcels of land, situate in Baltimore City, including the improvements thereon, bounded as follows:

Beginning for the same at the point formed by the intersection of the southeast side of East Forty-third Street, as now laid out, and the northeast side of St. Georges Avenue, 80 feet wide, formerly known as Willow Avenue as authorized under Ordinance No. 498 approved July 14, 1928, and running thence South $31^{\circ}-40'-00''$ East, binding in part on the northeast side of said Willow Avenue, and in part on the northeast side of Willow Avenue as authorized under Ordinance No. 474 approved September 4, 1925, in all 150.31 feet to intersect the center line of a 15.0 foot alley laid out parallel to and 140 feet southeasterly from the southeast side of said Forty-third Street; thence South $69^{\circ}-23'-10''$ West, binding on the center line of said alley produced southwesterly, 81.51 feet to intersect the southwest side of the first aforesaid Willow Avenue, now St. Georges Avenue; thence North $31^{\circ}-40'-00''$ West, binding on said southwest side, 89.19 feet to intersect the third line of a parcel of land conveyed by Vonzella J. Ford to Ruth E. W. Koger by deed dated June 1, 1950 and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 8214 folio 436; thence South $69^{\circ}-23'-10''$ West, binding reversely on part of said line 13.06 feet to the beginning of said line; thence North $20^{\circ}-36'-50''$ West, binding reversely on the second line of said deed, 60.00 feet to intersect the southeast side of said East Forty-third Street and

thence North 69°-23'-10" East, binding on said southeast side 82.85 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said St. Georges Avenue, the location and course of said St. Georges Avenue being shown on a plat thereof numbered 287-B-6C, prepared by the Bureau of Surveys, and filed in the Office of the Director of Public Works on the Eighteenth (18th) day of March, 1963.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purposes of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained,* That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said St. Georges Avenue. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase price of any of the said pieces or parcels of land and improvements thereupon or for any of the said properties, rights,

interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said St. Georges Avenue Project.

SEC. 3. *And be it further ordained*, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained*, That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said St. Georges Avenue Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, lands, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed the said St. Georges Avenue Project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained, That this ordinance shall take effect from the date of its passage.*

Approved May 14, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1667

(Council No. 2500)

An ordinance to amend Sheet No. 51 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use, F Area, 40-ft. Height District to the Residential Use E Area, 40 ft. Height District, the property lying northerly from Rock Glen Road and southeasterly from Brookgreen Road, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That Sheet No. 51 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use, F Area, 40 ft. Height District to the Residential Use E Area, 40 ft. Height District, the property lying northerly from Rock Glen Road and southeasterly from Brookgreen Road, as outlined in red on the four plats accompanying this ordinance.*

SEC. 2. *And be it further ordained, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the Presi-*

dent of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 14, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1668

(Council No. 2526)

An ordinance designating the area situate in Baltimore City, Maryland, known as the "Gay Street Urban Renewal Area," being the area bounded generally by the center line of Baltimore Street, the center line of Wolfe Street, the center line of Orleans Street, the center line of Low Street, the east side of Aisquith Street, the south side of Edythe Street, the center line of Central Avenue, the center line of Monument Street, the center line of Aisquith Street, the north side of Madison Street, the east side of McKim Street and Homewood Avenue, the center line of Eager Street, and the east side of the Fallsway to the intersection with the center line of Baltimore Street, being more particularly described herein and being designated as a "renewal area."

WHEREAS, the Planning Commission, acting pursuant to powers vested by Section 9-C of Article 14 of the Baltimore City Charter, as ordained by Ordi-

nance No. 692, approved December 31, 1956, has heretofore determined that the area known as the "Gay Street Urban Renewal Area" and more particularly described hereinbelow may be benefited through the exercise of the functions and powers of the City of Baltimore, which are now vested in the Baltimore Urban Renewal and Housing Agency; now, therefore,

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That it is hereby found and determined that the hereinbelow more particularly described area known as the "Gay Street Urban Renewal Area" may be benefited through the exercise of the functions and powers vested in the Baltimore Urban Renewal and Housing Agency.

SEC. 2. *And be it further ordained*, That the said "Gay Street Urban Renewal Area" is more particularly described as follows:

Beginning for the same at the intersection of Fallsway and Baltimore Street; continuing thence with the center line of Baltimore Street in an easterly direction to the point of the intersection with the center line of Wolfe Street; thence with the center line of Wolfe Street in a northerly direction to the point of the intersection with the center line of Orleans Street; thence with the center line of Orleans Street in a westerly direction to the point of the intersection with the center line of Low Street; thence with the center line of Low Street in a northeasterly direction to the point of the intersection with the east side of Aisquith Street, thence along the easterly side of Aisquith Street in a northerly direction to the point of the intersection with the south side of Edythe Street; thence along the southside of Edythe Street in an easterly direction to the point of the intersection with the center line of Central Avenue; thence with the center line of Central Avenue in a northerly direction to the point of the intersection with the center line of Monument Street; thence with the center line of Monument Street in a westerly direc-

tion to the point of the intersection with the center line of Aisquith Street; thence with the center line of Aisquith Street in a northerly direction to the point of the intersection with the north side of Madison Street; thence along the north side of Madison Street in a westerly direction to the point of the intersection with the east side of McKim Street; thence along the east side of McKim Street and Homewood Avenue in a northerly direction to the point of the intersection with the center line of Eager Street; thence with the center line of Eager Street in a westerly direction to the point of the intersection with the easterly side of the Fallsway; thence following the easterly side of the Fallsway in a southerly direction to the point of the intersection with the center line of Baltimore Street, this being the point of beginning; all as outlined in red on the plat accompanying this Ordinance dated March 26, 1963.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 14, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1669

(Council No. 2528)

An ordinance authorizing the City Comptroller to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground situate in Baltimore City on the southerly side of Leeds Street east of Hilton Street and immediately adjacent to 3213 Leeds Street. Said property being no longer needed for public use.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Comptroller of Baltimore City be and he is hereby authorized to sell at either public or private sale, in accordance with Section 169 of the City Charter, all of the interest of the Mayor and City Council of Baltimore in and to the lot of ground situate in Baltimore City, State of Maryland, and described as follows:*

Beginning for the same at the beginning of a parcel of land conveyed by William F. Broening, Collector, to the Mayor and City Council of Baltimore by deed, dated February 16, 1945, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6708, folio 30, said point of beginning being a point on the south side of Leeds Street, 31.0 feet wide, and distant 252.50 feet easterly from the point formed by the intersection of the east side of South Hilton Street and the south side of said Leeds Street, and running thence easterly, binding on the first line of said deed and the south side of said Leeds Street, 58.93 feet; thence southwesterly, binding on the second line of said deed, 109.05 feet to intersect the north side of a 14.0 foot alley; thence westerly, binding on said north side and the third line of said deed, 15.0 feet, more or less; and thence northerly, binding on the fourth line of said deed, 100.0 feet to the place of beginning.

Containing 3,696 square feet of land, more or less.

Saving and excepting out of the above described parcel of ground the portion thereof described as follows:

Beginning for the same at the beginning of a parcel of land conveyed by William F. Broening, Collector, to the Mayor and City Council of Baltimore by deed, dated February 16, 1945, and recorded among the Land Records of Baltimore City in Liber M.L.P. No. 6708, folio 30, said point of beginning being a point on the south side of Leeds Street, as now laid out 31.0 feet wide, and distant

252.50 feet from the point formed by the intersection of the east side of S. Hilton Street and the south side of said Leeds Street and running thence easterly, binding on the first line of said deed and the south side of said Leeds Street, 58.93 feet; thence southwesterly, binding on part of the second line of said deed, 44.0 feet, more or less, to intersect the southwest side of Leeds Street as proposed to be widened by a cul-de-sac having a radius of 35.0 feet, the center of said cul-de-sac being laid out southerly 35.0 feet, measured at a right angle from the north side of said Leeds Street, and easterly, measured at a right angle 35.0 feet from the fourth line of said deed; thence binding on the southwest side of Leeds Street, as proposed to be widened and the southwest side of said cul-de-sac there situate, northwesterly by a line curving to the right with a radius of 35.0 feet the distance of 61.0 feet, more or less, to intersect the fourth line of said deed and thence northerly, binding on part of said fourth line to the end thereof, 4.0 feet to the place of beginning.

Containing 1,666 square feet of land, more or less.

Said latter portion comprising a portion of Leeds Street to be widened by a cul-de-sac at this location.

Said property being no longer needed for public use.

SEC. 2. *And be it further ordained*, That no deed or deeds shall pass in accordance herewith until the same shall have first been approved by the City Solicitor.

Approved May 14, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1670

(Council No. 2282)

An ordinance ratifying and approving of an agreement, dated September 14, 1960, between The

Baltimore and Ohio Railroad Company and the Mayor and City Council of Baltimore, relating generally to the acquisition of land and rights for the opening, extension and improvement of Patapsco Avenue from Potee Street to about 800 feet north of Washington Boulevard and in connection with said improvement, the construction of two bridges, one carrying the tracks of the railroad company over and the other carrying the tracks of the railroad company under Patapsco Avenue, and the construction and relocation of railroad utilities.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Agreement between The Baltimore and Ohio Railroad Company and the Mayor and City Council of Baltimore, dated September 14, 1960, be and the same is hereby ratified and confirmed, said Agreement being as follows:

“This Agreement, made and executed in sextuplicate this 14th day of September in the year nineteen hundred and sixty, by and between The Baltimore and Ohio Railroad Company, a body corporate existing under the laws of the State of Maryland, party of the first part, hereinafter called ‘Railroad’ and the Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, party of the second part, hereinafter called ‘City’, witnesseth:

“Whereas, Railroad holds certain rights of way and lands lying between Reedbird Avenue and Washington Boulevard, within the limits and near the Southern Boundary of the City of Baltimore, which rights of way and lands were acquired and are being used for the purposes of construction, maintenance and operation of a railroad, and;

“Whereas, City Council has passed an Ordinance duly approved by the Mayor, providing for the extension of Patapsco Avenue from Potee Street to about 800+ feet North of Washington Boulevard, the said work being herein subsequently referred to as ‘Improvement’, and;

“Whereas, City is now preparing plans and has filed a plat in the office of the Bureau for Opening Streets, which indicates that the proposed extension of Patapsco Avenue will cross the tracks and right of way of Railroad at several locations, and;

“Whereas, the plans now being prepared by City include two (2) bridges, one to carry Railroad’s B&A Connection over Patapsco Avenue at Highway Station 124+41.87 (Railroad Station 7+81.57) and the other to carry Patapsco Avenue over Railroad’s Main Line at Highway Station 26+32.55 (Railroad Station 555+00), as indicated on the plans for this work which are hereby made a part of and incorporated with this agreement by reference thereto, and;

“Whereas, City has requested Railroad to grant it a perpetual easement of right of way to a strip of land one hundred (100) feet in width extending entirely across its land, roadbed and tracks at the locations above referred to, for the opening and dedication of the extension of Patapsco Avenue as a public thoroughfare, and;

“Whereas, City has also requested Railroad to grant it whatever other permanent and/or temporary easements are required to build the bridge structures and appurtenances to carry Railroad over and under Patapsco Avenue extended as hereinbefore stated and as indicated on the plans for this work aforementioned, and;

“Whereas, The Bureau of Public Roads of the Federal Government has approved the allocation of Federal funds for the aforementioned work, and;

“Whereas, Gable Avenue presently crosses at grade the said tracks of the Railroad at a point 1000 feet northwardly from the proposed crossing of Patapsco Avenue and it is, therefore, deemed advisable to close permanently said grade crossing incident to the construction of the new highway, and;

“Whereas, in order to avoid interference to Railroad operations in the construction of underpass at the B&A Connection, it is proposed to construct a temporary detour track to handle railroad traffic while the bridge is under construction, and;

“Whereas, the parties hereto are desirous of cooperating with each other in accomplishing the proposed improvement and to enter into an agreement to state more fully the terms and conditions connected therewith.

“Now, Therefore, for and in consideration of the mutual covenants hereinafter stipulated to be kept and performed, the parties do hereby agree as follows:

Section 1.

(a) Railroad, insofar as it has a legal right and its present title permits, does hereby grant, subject to the terms, limitations and agreements hereinafter set forth, unto City the right, liberty and privilege of constructing, establishing, maintaining and renewing two new bridges and appurtenant highway approaches, as hereinbefore described, across the tracks and property of Railroad.

(b) City will advertise the aforesaid work for construction and will, in accordance with regular City procedure, receive bids for same. However, due to the highly specialized nature of the work involved in construction of the proposed structures, both Railroad and City shall concur in the award of the contract for the said work.

Section 2.

Detailed plans and specifications for Improvement shall be prepared by City, or Consultants hired by City, provided that all of said plans and specifications and any changes therein shall be subject to the approval (in writing) of both parties to this Agreement, to the extent that their respective interests are affected thereby.

Section 3.

(a) Railroad, insofar as it has the right so to do, shall grant to City without charge, sufficient easements over and/or under lands owned by it, where the same may be involved, for the construction and maintenance of Improvement, provided metes and bounds descriptions are furnished by City for each parcel so occupied.

(b) City shall acquire, at its sole cost, and make available to Railroad for the duration of the construction period, temporary right-of-way for the construction, operation, maintenance and removal of Railroad's detour track required to maintain Railroad traffic on B&A Connection.

Section 4.

All work in accordance with the plans and specifications for said Improvement shall be performed by City, Railroad reserving the right to perform or cause to be performed such temporary or permanent alterations of track, tracks, drainage ditches, equipment, fixtures, signals, signal posts, flasher-light crossing protection, telephone, telegraph and other wires and lines, power transmission line or lines, conduits or pipes, devices, accessories and all Railroad appurtenances and facilities of whatever kind, nature or description only insofar as same is made necessary by construction of said Improvement. Railroad's work may be performed by its own forces on a force account basis or by contract (awarded by Railroad, subject to the approval of City), or by a combination of both, and City shall reimburse Railroad as provided in Section 13 hereof.

Section 5.

It is agreed that in the construction of said Improvement, all necessary falsework, bracing or forms on Railroad property and any other temporary construction and clearances affecting Railroad, shall be subject to approval of Railroad's Chief Engineer and The Public Service Commission of Maryland before being used.

Section 6.

Each party shall in carrying out its work on Improvement provide the necessary engineering and inspection for their respective parts of the work and City shall reimburse Railroad therefor as provided in Section 13 herein. Structural steel for the underpass bridge at Highway Station 124+41.87 shall be subject to inspection at both mill and shop by the Test Bureau of Railroad. However, City shall have general charge of the engineering on Improvement.

Section 7.

Any watchmen or flagmen necessary during the construction period of said Improvement to protect or safeguard Railroad's Traffic shall be provided by Railroad, and the Chief Engineer of Railroad or his authorized representative shall be the sole judge of when such Railroad protection is deemed necessary. City shall provide all necessary watchmen and flagmen to protect highway traffic. City shall reimburse Railroad for Railroad protective services in accordance with Section 13 hereof. It is agreed, however, that the providing of such watchmen, etc., by Railroad and other precautionary measures taken, either by Railroad or City, as a consequence of the work of the Contractor or Contractors, shall not relieve said Contractors from the liability for damage arising in connection with their operations.

Section 8.

All work herein provided to be done by City on Railroad's property shall be done in a manner satisfactory to the Chief Engineer of Railroad or his authorized representative, and shall be performed at such times and in such a manner so as not to interfere with the movement of trains or traffic upon the tracts of Railroad. City agrees to require its Contractors to use all reasonable care and precaution in order to avoid accidents, damage or delay to or interference with Railroad's trains or other property.

Section 9.

City shall require its Contractors, upon completion of the work of such Contractors and before final payment is made, to remove from within the limits of Railroad's land all machinery, surplus material, falsework, rubbish, or temporary buildings and other property of such Contractors and to leave the said land in a condition satisfactory to the Chief Engineer of Railroad or his authorized representative.

Section 10.

Before any work on said Improvement is commenced, the Contractor, in addition to his construction bond, shall cause to be executed all insurance required by the Special Provisions of the Specifications for the contracts entered into by City for the construction of the said Improvement and these contracts are hereby incorporated by reference thereto into this Agreement and made a part hereof.

Section 11.

(a) Railroad shall be responsible for laying and raising all new or temporary tracks, ties and ballast as made necessary by the construction of said Improvement, it being understood that City will place the embankment and prepare the subgrade for said tracks. City will also maintain and at the proper time remove the embankment required for the detour track operation.

(b) Railroad shall remove all existing and temporary tracks required by the construction of said Improvement and shall also make any arrangements necessary for such temporary pole line changes as are required by said construction.

Section 12.

(a) Upon completion of said Improvement, Railroad shall, at its own cost and expense, repair and maintain its roadbed, tracks, ties, ballast and ap-

purtenant Railroad facilities. City shall, at its own cost and expense, repair, renew and maintain the bridge structures, highway approaches and appurtenances.

(b) City agrees to permit Railroad, without any charge to Railroad for said privilege, but subject to approval by City of the plans therefor, the right to attach, at the expense of Railroad to said bridge structures and approaches, at any time after completion, signals, signal posts, telegraph, telephone and other wires and devices of whatsoever kind, nature and description now used or hereafter to be used in the operation of the Railroad.

Section 13.

(a) City will reimburse Railroad monthly for all costs and expenses of any labor and material which may be required by Railroad on or in connection with temporary and permanent changes to its pole lines, tracks and roadbed, as well as engineering and inspection, only insofar as such expenses and services are caused solely by the construction of this Improvement, and in accordance with Policy and Procedure Memorandum No. 30-3 of the Bureau of Public Roads.

(b) City may, at its election, repay Railroad directly or may cause its Contractor or Contractors to reimburse Railroad for the cost and expenses of Railroad watchmen and flagmen necessary for protection service, only insofar as such expenses and services are caused solely by the construction of this Improvement. Final settlement with Contractors shall be contingent upon a showing that Railroad has been reimbursed for such services.

Section 14.

Upon the completion of Improvement and receipt of proper billing therefor, Railroad agrees to pay to City as its sole contribution to the cost of the work, the sum of \$30,000.00, it being deemed by the parties hereto that said sum properly meets Rail-

road's obligation with respect to the elimination of the grade crossing at Gable Avenue.

Section 15.

City shall close and barricade or cause to be closed and barricaded the aforementioned existing grade crossing at Gable Avenue when the new bridges are ready to receive traffic, and Railroad shall perform the actual removal of said grade crossing. Reimbursement to Railroad for such service shall be in accordance with Section 13 hereof. City shall have vacated as public highway that portion of existing Gable Avenue within limits of the property of Railroad, and furnish Railroad with evidence of such vacation. If, after completion of Improvement herein contemplated, the bridges are damaged because of an accident arising out of use of Railroad such as a derailment, or the result of improper use of Railroad equipment or negligence of Railroad personnel, the Railroad will repair and/or reconstruct the bridges at its sole cost and expense to the satisfaction of Director of Public Works of City. If, however, the bridges are damaged because of an accident arising out of use of the highway, City will, at its sole cost and expense, make the proper repairs.

Section 16.

City shall acquire all property or property rights, as may be required to carry out the work contemplated herein.

Section 17.

It is further understood and agreed that Railroad shall not be liable for any benefit assessments due to the construction and maintenance of Improvement.

Section 18.

Each party hereto waives, but only as against the other, any and all damages or right to claim

damages to any of its property growing out of or in any way connected with Improvement herein contemplated, except as otherwise provided for in this agreement.

Section 19.

Railroad shall put in execution such 'Slow Orders' as may be necessary to carry out the work under this agreement with reasonable economy and dispatch.

Section 20.

City hereby agrees to protect, indemnify and save harmless Railroad, its successors and assigns, from and against all claims, costs, expenses, liability, demands and suits for loss or damage sustained by it, its employees or by any other Corporation or person, caused by or occasioned by, or growing directly or indirectly out of the opening and operation of Patapsco Avenue as a public thoroughfare, across, over and under the property, roadbed and tracks of Railroad, its successors and assigns, now or hereafter to be built or on account of the construction, extension, alteration or change in said bridges or their abutments, piers or any temporary supports as hereinbefore provided for.

Section 21.

The terms and provisions of this agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

Section 22.

This agreement shall not be effective unless the Federal Government finally approves and makes the necessary funds available for said proposed Improvement herein contemplated, provided that City shall reimburse Railroad for all costs and expenses incurred by it at the request of City on account of Improvement, prior to such cancellation, and this agreement shall not be held, taken

or considered as creating a precedent in any way affecting the terms and conditions upon which other bridge work shall be done, now or hereafter.

Section 23.

The work provided for in this agreement shall be commenced by the parties within thirty (30) days from the date on which the City notifies Railroad that this agreement is effective, Federal approval is received for the project, and all funds necessary therefor on the part of City have been properly certified and made available; and such work shall be completed within a reasonable time thereafter. Preparation of plans, or buying and assembling of materials shall be construed as compliance with the foregoing thirty (30) day provision. Neither this paragraph nor any other provision of this agreement shall be construed as being for the benefit of the highway contractor or any other third person, and the City shall insert in its agreement with the highway contractor a provision to that effect.

Section 24.

It is understood and agreed that this agreement is to be submitted to the City Council for ratification by an Ordinance of the City upon which ratification the agreement shall become effective.

“In Witness Whereof, the parties have hereunto caused this agreement to be duly executed in sextuplicate by their proper officials, on the day and year first above written.

ATTEST:

s/s A. W. Schell

.....
Secretary

ATTEST:

s/s M. Epple

.....

THE BALTIMORE AND OHIO RAILROAD COMPANY

By: s/s W. C. Baker

.....
Vice President

MAYOR AND CITY COUNCIL OF BALTIMORE

By: s/s J. Harold Grady

.....
Mayor

Approved as to form and legal sufficiency this 19 day of September, 1960.

s/s Harrison L. Winter

.....
City Solicitor

s/s Lloyd G. McAllister

.....
Assistant City Solicitor

Submitted to and approved by the Board of Estimates September 28, 1960.

Approved:

Bureau of Highways

s/s G. V. Walters

.....
Highways Engineer

s/s Leo C. McDonagh

.....
Clerk

Approved:

Department of Public Works

s/s Bernard L. Werner

.....
Director

.....
Approved: 9/14/60. CLS

SEC. 2. *Be it further ordained*, That the Mayor of Baltimore be and he is hereby authorized and directed:

(1) For and in the name of the Mayor and City Council of Baltimore to execute and deliver, in accordance with the terms of the aforementioned Agreement, such Deed or Deeds and instruments necessary to carry out the provisions thereof by the Mayor and City Council of Baltimore.

(2) For and on behalf of the Mayor and City Council of Baltimore to accept from the said Railroad Company in accordance with the terms of the aforementioned Agreement, such Deed or Deeds and instruments necessary to carry out the provisions thereof by the Railroad Company.

SEC. 3. *And be it further ordained*, That no Deed or Deeds shall pass in accordance herewith unless the same shall have first been approved by the City Solicitor.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1671

(Council No. 2352)

An ordinance to condemn and open, certain Alleys, lying within the area bounded by Orleans Street, Colvin Street, Fayette Street, Fallsway and property lines northwest of Low Street in accordance with a plat thereof numbered 186-A-33, prepared by the Bureau of Surveys, and filed in the Office of Ridgely Street about thirty-eight (38) feet eighth (28th) day of November, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of As-

assessments be, and they are hereby authorized and directed to condemn, open, certain Alleys, lying within the area bounded by Orleans Street, Colvin Street, Fayette Street, Fallsway and property lines northwest of Low Street, in accordance with a plat thereof numbered 186-A-33, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-eighth (28th) day of November, 1962, and now on file in said office; the said Alleys are numbered from one to four on said plat and described as follows:

1. An Alley, 3 feet wide, 51 feet northwest of Low Street and running northeasterly from Groome Street 17.0 feet to the end thereof and designated as No. 1 on said plat.

2. An Alley, 3 feet wide, 45.33 feet northwest of Low Street and running northeasterly 37.0 feet to the end thereof and designated as No. 2 on said plat.

3. An Alley, 2.58 feet wide, 28.63 feet southeast of Lexington Street and running northeasterly from the Fallsway 99.02 feet to the end thereof and designated as No. 3 on said plat.

4. An Alley, 3 feet wide, 113.33 feet northwest of Fayette Street and running southwesterly from High Street 165 feet to the end thereof and designated as No. 4 on said plat.

The said Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-eighth (28th) day of November in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local

Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1672

(Council No. 2353)

An ordinance to condemn and close certain Alleys, lying within the area bounded by Orleans Street, Colvin Street, Fayette Street, Fallsway and property lines northwest of Low Street in accordance with a plat thereof numbered 186-A-33A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-ninth (29th) day of November, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close certain Alleys, lying within the area bounded by Orleans Street, Colvin Street, Fayette Street, Fallsway and property lines northwest of Low Street, in accordance with a plat thereof numbered 186-A-33A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twenty-ninth (29th) day of November, 1962, and now on file in said office; the said Alleys are numbered from one to four on said plat and described as follows:

1. An Alley, 3 feet wide, 51 feet northwest of Low Street and running northeasterly from Groome Street 17.0 feet to the end thereof and designated as No. 1 on said plat.

2. An Alley, 3 feet wide, 45.33 feet northwest of Low Street and running northeasterly 37.0 feet to the end thereof and designated as No. 2 on said plat.

3. An Alley, 2.58 feet wide, 28.63 feet southeast of Lexington Street and running northeasterly from the Fallsway 99.02 feet to the end thereof and designated as No. 3 on said plat.

4. An Alley, 3 feet wide, 113.33 feet northwest of Fayette Street and running southwesterly from High Street 165 feet to the end thereof and designated as No. 4 on said plat.

The said Alleys as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twenty-ninth (29th) day of November in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained*, That no buildings or structures of any kind shall be constructed

or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Alleys and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1673

(Council No. 2428)

An ordinance to change the name of (1) that portion of Annapolis Avenue beginning at Washington Boulevard and running thence southeasterly to Hollins Ferry Road, the new name of said portion of Annapolis Avenue to be Hollins Ferry Road and (2) that portion of Annapolis Avenue beginning at Hollins Ferry Road and running thence easterly to Annapolis Road the new name of said portion of Annapolis Avenue to be Waterview Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* (1) That the name of that portion of Annapolis Avenue beginning at Washington Boulevard and running thence southeasterly to Hollins Ferry Road be and it is hereby changed and that said portion of Annapolis Avenue shall hereafter be known as Hollins Ferry Road and (2) That the name of that portion of Annapolis Avenue beginning at Hollins Ferry Road and running thence easterly to Annapolis Road be and it is hereby changed and that said portion of Annapolis Avenue shall hereafter be known as Waterview Avenue.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1674

(Council No. 2484)

An ordinance to repeal and re-ordain, with amendments, Section 14A of Article 40 of the Baltimore

City Code (1950 Edition), title "Zoning," as said Section 14A was added to said Article by Ordinance No. 1008, approved July 1, 1957, providing that the Special Exception provided for the office of a physician and the office of a dentist in Residential Use Districts as provided for in said Section 14A may include the office of more than one physician or more than one dentist in associated practice, but not more than four physicians or more than four dentists in associated practice in any such office.

WHEREAS, by administrative and judicial construction the Special Exception provided for in Section 14A of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," has been limited to the office of one physician and one dentist, without power in the Board of Municipal and Zoning Appeals of Baltimore City to include in any such Special Exception an office with more than one physician or more than one dentist in associated practice; and

WHEREAS, it is in the public interest to remove this limitation so that in situations which justify it, the Board of Municipal and Zoning Appeals, in accordance with the guides and standards set forth in said Section 14A, may include in the Special Exception the office of more than one physician or of more than one dentist in associated practice. Now, therefore,

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 14A of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as said Section 14A was added to said Article by Ordinance No. 1008, approved July 1, 1957, be and the same is hereby repealed and re-ordained, with amendments,

14A. Use Districts—Special Exception.

Notwithstanding any provision of this Article, the Board of Municipal and Zoning Appeals may, after

public notice and hearing, in its discretion, in a specific case, and subject to the provisions, restrictions, guides, standards and limitations hereinafter set forth, permit in residential buildings in a Residential Use District which are not located in D Restricted, E, E-Restricted and F Area Districts, other than apartment houses occupied by, or built for occupancy by, ten or more families in D Restricted, E, E-Restricted and F Area Districts, an office of a physician as hereinafter defined and of a dentist as hereinafter defined.

In considering the Special Exception provided for by this Section 14A, the Board of Municipal and Zoning Appeals shall inspect the premises and shall have a public hearing giving all parties in interest the right to testify as to any material facts in connection with the proposed Special Exception and shall act as a fact-finding body and shall approve or disapprove the issuance of the permit for the proposed Special Exception in accordance with the evidence adduced before it and from its own investigation as to whether or not such proposed Special Exception will menace the public health, safety, security or morals, and as a further guide to its decision upon the facts of the case, the Board of Municipal and Zoning Appeals shall give consideration to the following:

(1) The population density in the area in the vicinity of the premises for which application for a Special Exception under the provisions of this Section 14A is made indicating a need for the services of a physician or of a dentist, as the case may be, in such area.

(2) The testimony of property owners in the area in the vicinity of the premises indicating a need for the services of a physician or of a dentist, as the case may be, or the absence of testimony of such property owners that there is no such need.

(3) The protection of occupants of buildings from noise, dust and gases caused by traffic.

(4) The conservation of property values.

(5) Any other matters considered to be in the interest of the general welfare.

The Special Exception provided for by this Section 14A shall be further limited as follows:

(a) It shall only be permitted in a building already erected for residential use, and there shall be no substantial change in the exterior of such building which would result in a lack of architectural harmony with adjacent residential buildings.

(b) No advertising sign or device shall be displayed except a flat ornamental, non-illuminated sign, not exceeding one square foot in area, may be placed against the exterior of the building.

(c) The Special Exception shall be limited to the office of a physician and of a dentist and shall not be a clinic or a hospital; provided, however, that the Special Exception may include the office of more than one physician or more than one dentist in associated practice, but not more than four physicians or more than four dentists in associated practice in any such office.

A "physician" is defined for the purposes of this Section 14A to mean a person who is duly licensed to practice medicine and surgery in the State of Maryland pursuant to the provisions of Article 43, Sections 119-135 of the Annotated Code of Maryland (1957 Edition) and whose license has not been revoked as provided in Article 43, Sections 138 or 145 of the Annotated Code of Maryland (1957 Edition).

With every application or appeal by a physician to obtain a Special Exception, pursuant to this Section 14A, a certified copy or a photostatic copy of the license of the physician to practice medicine and surgery in the State of Maryland shall be filed, and the applicant or appellant shall state in such application or appeal that such license has not been revoked or suspended but is in full force and effect.

A "dentist" is defined for the purpose of this Section 14A to mean a person who is duly licensed to practice dentistry in the State of Maryland, pursuant to the provisions of Article 32, Sections 1-6 of the Annotated Code of Maryland (1957 Edition), and whose license has not been revoked pursuant to Article 32, Section 11 of the Annotated Code of Maryland (1957 Edition).

With every application or appeal of a dentist to obtain a Special Exception, pursuant to this Section 14A, a certified copy or a photostatic copy of the license of the dentist to practice dentistry in the State of Maryland shall be filed and the applicant or appellant shall state in such application or appeal that such license has not been revoked or suspended but is in full force and effect.

Any Special Exception approved by the Board of Municipal and Zoning Appeals pursuant to this Section 14A shall not be impressed with the status of a non-conforming use.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1675

(Council No. 2493)

An ordinance to authorize The Baltimore and Ohio Railroad Company to construct, maintain and operate a track in the bed of Ridgely Street, beginning at a point in the westerly building line of Ridgely Street about thirty-eight (38) feet south of the point where said building line intersects the center line of the eastbound main track of said railroad now constructed in Ridgely Street

and running thence in an easterly direction and about thirty-eight (38) feet parallel from said center line of said eastbound main track for a distance of about sixty-six (66) feet to the easterly building line of Ridgely Street, subject to certain terms, provisions and conditions.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be and it is hereby authorized to construct, maintain and operate a railroad track in the bed of Ridgely Street, said track hereby authorized being described as follows:

Beginning at a point in the westerly building line of Ridgely Street about thirty-eight (38) feet south of the point where said building line intersects the center line of the eastbound main track of said railroad now constructed in Ridgely Street and running thence in an easterly direction and about thirty-eight (38) feet parallel from said center line of said eastbound main track for a distance of about sixty-six (66) feet to the easterly building line of Ridgely Street, subject to certain terms, provisions and conditions.

The portion of the track hereby authorized by this Ordinance which is located in the bed of Ridgely Street is shown by a line colored red on the print hereto annexed and made a part of this Ordinance.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore shall, at all times, have and retain the power and right to reasonably regulate, in the public interest, the exercise of the right herein granted, and that the said right shall be executed and enjoyed within six months after the grant, and that the right herein granted shall be held, exercised and enjoyed for the period of twenty-five years. Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its

removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become

void, and that nothing short of an Ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in laying down and constructing from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be constructed and maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails to be used in the construction and renewals thereof, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are not permitted to stand, and the sum of Three Dollars (\$3.00) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are permitted to stand, all payable in advance, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated in each category under the provisions of this Ordinance; and the said grantee shall also pay all expenses of advertising this Ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks;

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained,* That upon the termination of the franchise herein granted; (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail,

neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer shall in his sole judgment determine that the public interest, convenience, safety and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any

or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer without compensation, and at the entire cost and expense of the said grantee, its successors and assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained,* That the said grantee, its successors and assigns, shall not stand a car or cars on the said sixty-six (66) feet of track located on Ridgely Street.

SEC. 13. *And be it further ordained,* That the rights by this Ordinance granted to construct, maintain and operate the said new single track on Ridgely Street shall be revocable by the Board of Estimates of Baltimore City whenever in its judgment the public interest, welfare and/or convenience may so require, and within six months after written notice of such revocation from the Highways Engineer of the City, the said Railroad Company, its successors and assigns, shall at its or their own expense and without compensation to it or them, remove the said track on Ridgely Street, and all the other provisions of this Ordinance in anywise relating to removal of tracks shall apply to such removal upon notice of revocation.

SEC. 14. *And be it further ordained,* That this ordinance shall take effect from the date of its passage, except that if said track is constructed before the passage of this Ordinance, the franchise charge shall begin as of the date when construction of said track was started in Ridgely Street.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1676

(Council No. 2518)

An ordinance to condemn and open, (1) Greenspring Avenue, old location now abandoned, from Northern Parkway southeast 123.95 feet to the northern line of said Greenspring Avenue heretofore condemned and closed and (2) Belvedere Avenue, old location now abandoned, from Greenspring Avenue, as now laid out, southwest 375.22 feet to Belvedere Avenue, as now laid out in accordance with a plat thereof numbered 266-A-24B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Thirteenth (13th) day of March, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, (1) Greenspring Avenue, old location now abandoned, from Northern Parkway southeast 123.95 feet to the northern line of said Greenspring Avenue heretofore condemned and closed and (2) Belvedere Avenue, old location now abandoned, from Greenspring Avenue, as now laid out, southwest 375.22 feet to Belvedere Avenue, as now laid out, in accordance with a plat thereof numbered 266-A-24B, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Thirteenth (13th) day of March, 1963, and now on file in said office; the said streets are numbered one and two on said plat and described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southwest side of Northern Parkway, as now laid out, and the northeast side of Greenspring Avenue, old location now abandoned, said point of beginning being northwesterly measured along said southwest side 319.65 feet from the point formed by the intersection of the southwest side of said Northern Parkway and the west-

ernmost side of Belvedere Avenue, as now laid out, and running thence South $35^{\circ}-38'-50''$ East, binding on the northeast side of said Greenspring Avenue, 123.95 feet to intersect the north line of said Greenspring Avenue heretofore condemned and closed under Ordinance No. 757, approved June 21, 1949, by the Mayor and City Council of Baltimore; thence North $59^{\circ}-00'-00''$ West, binding on said north line, 176.60 feet to intersect the southwest side of said Greenspring Avenue; thence North $35^{\circ}-38'-50''$ West, binding on said southwest side 69.19 feet to intersect the southwest side of said Northern Parkway and thence South $68^{\circ}-45'-00''$ East, binding on said southwest side, 128.18 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the southwest side of Greenspring Avenue, as now laid out, and the southeast side of Belvedere Avenue, old location now abandoned, and running thence South $62^{\circ}-26'-30''$ West, binding on the southeast side of said Belvedere Avenue, 375.22 feet to intersect the southeast side of Belvedere Avenue, as now laid out 60 feet wide; thence binding on said southeast side by a line curving to the left with a radius of 245.0 feet the distance of 175.17 feet which arc is subtended by a chord bearing North $41^{\circ}-53'-12''$ East 171.46 feet to intersect the northwest side of the first aforementioned Belvedere Avenue; thence North $62^{\circ}-26'-30''$ East, binding on said northwest side, 183.70 feet to intersect the southwest side of said Greenspring Avenue and thence binding on said southwest side by a line curving to the right with a radius of 1150.0 feet the distance of 67.71 feet which arc is subtended by a chord bearing South $54^{\circ}-47'-02''$ East 67.70 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which

was filed in the Office of the Department of Assessments on the Thirteenth (13th) day of March in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1677

(Council No. 2519)

An ordinance to condemn and close (1) Greenspring Avenue, old location now abandoned, from Northern Parkway southeast 123.95 feet to the northern line of said Greenspring Avenue heretofore condemned and closed and (2) Belvedere Avenue, old location now abandoned, from Greenspring Avenue, as now laid out, southwest 375.22 feet to Belvedere Avenue, as now laid out, in accordance with a plat thereof numbered 266-A-24C, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fourteenth (14th) day of March, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close (1) Greenspring Avenue, old location now abandoned, from Northern Parkway southeast 123.95 feet to the northern line of said Greenspring Avenue heretofore condemned and closed and (2) Belvedere Avenue, old location now abandoned, from Greenspring Avenue, as now laid out, southwest 375.22 feet to Belvedere Avenue, as now laid out, in accordance with a plat thereof numbered 266-A-24C, prepared by the Bureau of Surveys, and Filed in the Office of the Department of Assessments, on the Fourteenth (14th) day of March, 1963, and now on file in said office; the said streets are numbered one and two on said plat and described as follows:*

Beginning for Parcel No. 1 at the point formed by the intersection of the southwest side of Northern Parkway, as now laid out, and the northeast side of Greenspring Avenue, old location now abandoned, said point of beginning being northwesterly measured along said southwest side 319.65 feet from the point formed by the intersection of the southwest side of said Northern Parkway and the westernmost side of Belvedere Avenue, as now laid out, and running thence South $35^{\circ}-38'50''$ East, binding on the northeast side of said Greenspring Avenue, 123.95 feet to intersect the north line of said Greenspring Avenue heretofore condemned and closed under Ordinance No. 757, approved June 21, 1949, by the Mayor and City Council of Baltimore; thence North $59^{\circ}-00'-00''$ West, binding on said north line, 176.60 feet to intersect the southwest side of said Greenspring Avenue; thence North $35^{\circ}-38'-50''$ West, binding on said southwest side 69.19 feet to intersect the southwest side of said Northern Parkway and thence South $68^{\circ}-45'-00''$ East, binding on said southwest side, 128.18 feet to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the southwest side of Green-

spring Avenue, as now laid out, and the southeast side of Belvedere Avenue, old location now abandoned, and running thence South $62^{\circ}-26'-30''$ West, binding on the southeast side of said Belvedere Avenue, 375.22 feet to intersect the southeast side of Belvedere Avenue, as now laid out 60 feet wide; thence binding on said southeast side by a line curving to the left with a radius of 245.0 feet the distance of 175.17 feet which arc is subtended by a chord bearing North $41^{\circ}-53'-12''$ East 171.46 feet to intersect the northwest side of the first aforementioned Belvedere Avenue; thence North $62^{\circ}-26'-30''$ East, binding on said northwest side, 183.70 feet to intersect the southwest side of said Greenspring Avenue and thence binding on said southwest side by a line curving to the right with a radius of 1150.0 feet the distance of 67.71 feet which arc is subtended by a chord bearing South $54^{\circ}-47'-02''$ East 67.70 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Fourteenth (14th) day of March in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits

agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any

and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1678

(Council No. 2544)

An ordinance granting authority to Hutzler Brothers Company of Baltimore City, a corporation, to connect the rear of premises occupied by them on the west side of North Howard Street, corner of Wagon Alley, now called Clay Street, known as 212 to 218, with the rear of the building or improvements erected by them opposite the same on the south side of Saratoga Street and the north side of Wagon Alley, now called Clay Street, between Howard and Eutaw Streets, by covered superstructures or bridgeways above and across said Wagon Alley, now called Clay Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 133, approved March 31, 1924, and to repeal Ordinance No. 1569, approved March 8, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That in pursuance of the power vested in it, and for the convenience of the public having business with Hutzler Brothers Company of Baltimore City, a corporation, authority be and the same is hereby granted to the said Hutzler Brothers Company of Baltimore City, its successors or assigns, to continue to maintain at their own cost for a period of one year with renewals as hereinafter described, two covered superstructures or bridgeways above and across the surface of Wagon Alley, now called Clay Street, which shall

connect the rear of the fourth and fifth floors of the premises occupied by the said Hutzler Brothers Company of Baltimore City, on the west side of North Howard Street, known as Numbers 212 to 218, with the rear of the corresponding floors of the building or improvements erected by them opposite the same on the south side of Saratoga Street, and the north side of Wagon Alley, now called Clay Street, between Howard and Eutaw Streets, upon the terms and conditions following; that is to say:

That the two said superstructures or bridgeways shall extend from and connect respectively the fourth and fifth floors of the rear of the premises occupied by said Hutzler Brothers Company of Baltimore City, on north Howard Street, as aforesaid, with the rear of the corresponding floors of the building or improvements erected by them on the south side of Saratoga Street, and the north side of Wagon Alley, now called Clay Street, as aforesaid; that the bottom of the lower of said superstructures or bridgeways shall be not less than forty-eight feet from the surface of the center of said Wagon Alley, now called Clay Street, and that the bottom of the upper of said superstructures or bridgeways shall be not less than sixty-two feet above the surface of the center of said Wagon Alley, now called Clay Street twenty feet wide; that each of said two superstructures or bridgeways shall be ten feet six inches wide by eleven feet high, their bases formed of steel beams, with reinforced concrete slabs between the beams covered with granolithic or cement; and in order not to obstruct the air and light now received from said alley by the occupants of the buildings adjacent to or adjoining said superstructures or bridgeways, each side of each superstructure or bridgeway shall be formed of channel standards placed about two feet centers, with a middle and top rail of three-inch angle iron, the spaces between the standards and rails to be covered with wire glass. No woodwork or other combustible material shall be used in the construction of same, and the openings from the said build-

ings to said superstructures or bridgeways on each floor shall be covered with standard fire-doors; and further the said superstructures or bridgeways shall be erected and completed under the supervision and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of Nine Hundred Forty-five Dollars (\$945.00) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the

franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year term granted herein or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 5. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public

interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. *And be it further ordained*, That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors or assigns.

SEC. 8. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. *And be it further ordained*, That Ordinance No. 133, approved March 31, 1924, be and the same is hereby repealed; provided, however,

that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 133, approved March 31, 1924, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 133.

SEC. 10. *And be it further ordained*, That Ordinance No. 1569, approved March 8, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 1569, approved March 8, 1963, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 1569.

SEC. 11. *And be it further ordained*, That this Ordinance shall take effect from March 8, 1963.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1679

(Council No. 2545)

An ordinance granting authority to Isaac Benesch & Sons to connect the rear of the premises occupied by them known as Nos. 549 and 551 North Gay Street, in Baltimore City, with the warehouse occupied by them on the southeast side of Little McElderry Street and known as Nos. 1161-63 Little McElderry Street by a covered bridgeway above and across the surface of Little McElderry Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 144, approved July 23, 1912, and to repeal Ordinance No. 1570, approved March 8, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That in pursuance of the power vested in it, for the convenience of the employees of the firm of Isaac Benesch & Sons and for the prevention of interference with the removal of goods from one warehouse to another by the public, authority be and is hereby granted to Isaac Benesch & Sons, and its assigns, to continue to maintain at their own cost, for a period of one year with renewals as hereinafter described, a covered superstructure or bridgeway above and across the surface of Little McElderry Street, which shall connect the rear of the second floor of the building occupied by said Isaac Benesch & Sons on North Gay Street and known as Nos. 549-51 North Gay Street with the corresponding floor of the warehouse occupied by them on the southeast side of Little McElderry Street and known as Nos. 1161-63 Little McElderry Street upon the terms and conditions following; that is to say:

That said superstructure or bridgeway shall extend from and connect the rear or the second floor of the premises occupied by them at Nos. 549-51 North Gay Street with the corresponding floor of the warehouse occupied by them on the southeast side of Little McElderry Street and known as Nos. 1161-63 Little McElderry Street; that the bottom of the lowest part of said superstructure or bridgeway, in order to permit free passage of vehicles of every description through Little McElderry Street, be not less than sixteen feet from the surface of the center of Little McElderry Street; that said superstructure or bridgeway shall be seven feet wide, eight feet high and thirty feet and two inches long, and constructed entirely of fire-resisting materials, under the supervision and approval of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as com-

compensation for the franchise or privilege hereby granted the sum of Three Hundred Sixteen Dollars and Seventy-eight cents (\$316.78) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred.

Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year term granted herein or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 5. *And be it further ordained*, That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. *And be it further ordained*, That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. *And be it further ordained*, That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or

their expense, promptly remove the said bridge-ways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 8. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. *And be it further ordained*, That Ordinance No. 144, approved July 23, 1912, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 144, approved July 23, 1912, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 144.

SEC. 10. *And be it further ordained*, That Ordinance No. 1570, approved March 8, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities

which have arisen, accrued, or become due under said Ordinance No. 1570, approved March 8, 1963, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 1570.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from March 8, 1963.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1680

(Council No. 2546)

An ordinance granting permission to the Emerson Drug Company, Inc., to erect a superstructure or bridgeway, four stories high, over and across a 20-foot alley to connect its building on the premises known as northeast corner Eutaw and Lombard Streets with the building on the premises known as 11 S. Eutaw Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 205, approved June 17, 1924, and to repeal Ordinance No. 1571, approved March 8, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That in pursuance of the power vested in it and for the convenience of the Emerson Drug Company, Inc., and its employees, permission and authority are hereby given and granted to the said Emerson Drug Company, Inc., its successors and assigns (hereinafter referred to as grantee), to maintain, at its own cost, for a period of one year with renewals as hereinafter described; a superstructure or bridgeway, four stories high, above and across a 20-foot alley, which shall connect its building on the premises known as

northeast corner Eutaw and Lombard Streets with its building on the premises known as 11 S. Eutaw Street, upon the terms and conditions following; that is to say:

That the lowest part of said superstructure or bridgeway be not less than 16 feet above the surface of the 20-foot alley, and that it shall be approximately 20 feet long, 15 feet wide and four stories high. No woodwork or other combustible material shall be used in the construction of same, and the entire structure shall be constructed under the supervision and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore, and shall be at all times hereafter under the regulation and control of the said Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore as compensation for the franchise or privilege hereby granted the sum of Nine Hundred and Ninety Dollars (\$990.00) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise

provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, or giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year term granted herein or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 5. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall,

at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. *And be it further ordained*, That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. *And be it further ordained*, That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridge-ways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 8. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation,

maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. *And be it further ordained*, That Ordinance No. 205, approved June 17, 1924, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 205, approved June 17, 1924, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 205.

SEC. 10. *And be it further ordained*, That Ordinance No. 1571, approved March 8, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 1571, approved March 8, 1963, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 1571.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from March 8, 1963.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1681

(Council No. 2547)

An ordinance granting authority to the Morgan Millwork Company, a body corporate, to connect

the second floor of the rear of its warehouse fronting on the south side of North Avenue and known as 113 to 121 West North Avenue, now occupied by it, with a building situate on its lot on the south side of a twenty foot street, now known as Trenton Street, directly opposite the rear of its said warehouse fronting on North Avenue, by a covered superstructure or bridgeway above and across said twenty foot street, now known as Trenton Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 83, approved February 11, 1916, and to repeal ordinance No. 1572, approved March 8, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That in pursuance of the power vested in it, authority be and the same is hereby granted to the Morgan Millwork Company, a body corporate, its successors and assigns, to continue to maintain, at its cost, for a period of one year with renewals as hereinafter described, a covered superstructure or bridgeway above and across the surface of a twenty foot street, now known as Trenton Street, which will connect the second floor of the rear of the warehouse owned and occupied by the Morgan Millwork Company on the south side of North Avenue, and known as 113 to 121 West North Avenue, with a building situated opposite the rear of said warehouse, on the south side of a twenty foot street now known as Trenton Street upon the terms and conditions following; that is to say:

That the said superstructure or bridgeway shall extend from and connect the second floor of the rear of the warehouse occupied by the Morgan Millwork Company on the south side of North Avenue, and known as 113 to 121 West North Avenue, with a building situate upon its lot on the south side of a street twenty feet wide, now known as Trenton Street, directly opposite the rear of said premises on North Avenue aforesaid. That the superstruc-

ture or bridgeway shall, in order to permit the free passage across the same from the said rear of the said warehouse on North Avenue to the building situate on the south side of said twenty foot street, now known as Trenton Street, be not less than ten feet wide and nine feet more or less in height, and extend from the rear of the said warehouse on North Avenue to the building situate on the south side of said Trenton Street. The base shall be formed of two steel beams with floor of 3 x 8 joist with three inch plank floor, the entire sides, floor and roof of said superstructure or bridgeway to be covered with corrugated iron; and shall be at least twenty-one feet above the surface of said Trenton Street, and to be supported at the northernmost end by the rear brick wall of the present warehouse of the Morgan Millwork Company, and at the southernmost end by two steel columns.

And further the said superstructure or bridgeway shall be erected and completed under the superintendence and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of Three Hundred Dollars, (\$300.00) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise here-

in granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year term granted herein, or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant so long as said structures as de-

scribed herein shall exist at the location described herein.

SEC. 5. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 8. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the

Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. *And be it further ordained*, That Ordinance No. 83, approved February 11, 1916, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 83, approved February 11, 1916, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 83.

SEC. 10. *And be it further ordained*, That Ordinance No. 1572, approved March 8, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 1572, approved March 8, 1963, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 1572.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from March 8, 1963.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1682

(Council No. 2548)

An ordinance granting authority to Little Potts Co. to erect a covered bridgeway from its building, 710 North Durham Street, over Milliman Street to its building, 712 North Durham Street, subject to certain terms, provisions and conditions; and to repeal Ordinance No. 91, approved April 9, 1912, and to repeal Ordinance No. 1573, approved March 8, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That in pursuance of the power vested in it, authority is hereby granted to Little Potts Co. to continue to maintain at its own cost for a period of one year with records as hereinafter described a covered bridgeway 8.0 feet wide by 18.0 feet high across Milliman Street, 20 feet wide, from 710 to 712 North Durham Street, to be approximately above 12 feet above pavement, upon the terms and conditions following; that is to say:

That the said bridgeway shall extend from the north to the south side of buildings 710 to 712 North Durham Street, that the bottom of said bridgeway shall, in order to permit the free passage of vehicles of every description through said street be not less than 12 feet from the surface of said street, said bridgeway, on both sides thereof facing Milliman Street, shall be clearly marked, at all times by the grantee, its successors and assigns, in luminous or illuminated letters of sufficient width and height warning the traveling public of the maximum height or less necessary to proceed safely thereunder. No woodwork or other combustible material shall be used in the construction of same, and shall be erected and completed under the supervision and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of Two Hundred Seventy-six Dollars (\$276.00) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not consistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be

operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year term granted herein or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 5. *And be it further ordained*, That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. *And be it further ordained*, That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridge-ways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 8. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. *And be it further ordained,* That Ordinance No. 91, approved April 9, 1912, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 91, approved April 9, 1912, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 91.

SEC. 10. *And be it further ordained*, That Ordinance No. 1573, approved March 8, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 1573, approved March 8, 1963, at any time or times prior to the passage and approval of this ordinance shall be in any way affected by the repeal of said Ordinance No. 1573.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from March 8, 1963.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1683

(Council No. 2549)

An ordinance granting permission and authority to the United States Fidelity & Guaranty Company to continue to maintain, at its own cost, a bridge measuring nine feet high, with an average width of nine feet six inches, inside measurement, the same to extend over Mercer Street with a clearance of eighty-nine feet from the bed of Mercer Street to the bottom of said bridge, for the purpose of connecting its building situated on the southwest corner of Calvert and Redwood Streets with a building situated on the lot of ground bounded by Mercer, Calvert, Water and Grant Street subject to certain terms, provisions and conditions; and to repeal Ordinance No. 640, approved November 28, 1921, and to repeal Ordinance No. 1574, approved March 8, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That permission and authority be and the same is hereby granted to the United

States Fidelity & Guaranty Company to continue to maintain at its own cost, for a period of one year with renewals as hereinafter described, one structure, to wit:

A bridge over and across Mercer Street, which said bridge shall connect the seventh floor of the present building owned and occupied by the United States Fidelity & Guaranty Company, situate on the southwest corner of Calvert and Redwood Streets, with the seventh floor of the building opposite to be above described premises, being situate on that lot of ground bounded by Mercer, Calvert, Water and Grant Streets; the said grant to be upon the terms and conditions following; that is to say:

That the said bridge, which shall measure 33 feet, $3\frac{1}{8}$ "', more or less, in length, between the walls of said buildings, shall extend from the seventh floor of the building on the southwest corner of Calvert and Redwood Streets, now owned and occupied by the United States Fidelity & Guaranty Company, and connect with the corresponding seventh floor of the building opposite, on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets, as shown on the original plan and elevation made prior hereto and made a part of this ordinance.

That the said bridge shall be so located as to permit a clearance of eighty-nine feet, more or less, measured from the bed of Mercer Street to the bottom of said bridge.

That said bridge shall be 9 feet high and 6 feet 2 inches wide at the north end, and 12 feet 11 inches wide at the south end, or an average width of 9 feet 6 inches inside measurement.

That the spans shall be formed of structural steel I or channel beams of such scheme of construction as shall be directed and approved by the Bureau of Building Inspection of the City of Baltimore.

That the side walls of said bridge shall be of brick with window openings, the construction of

which shall likewise be in accordance with the approval of the Bureau of Building Inspection of the City of Baltimore. That the floor, ceiling and roof of said bridge shall be of concrete or of other similar material as will meet the approval of the Bureau of Building Inspection of the City of Baltimore.

That no woodwork or other inflammable or combustible material except for the purpose of furring and trim shall be used in the construction of the same.

That said bridge shall be erected and completed under supervision of and to the satisfaction of the Bureau of Building Inspection of the City of Baltimore.

That said bridge shall be equipped with adequate fire doors, which shall be approved by the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of Four Hundred Seventy-three Dollars and Ninety-six Cents (\$473.96) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained*, That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period

of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year term granted herein or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 5. *And be it further ordained,* That non-compliance with any of the terms or conditions of

the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall, at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridge-ways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 8. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. *And be it further ordained*, That Ordinance No. 640, approved November 28, 1921, be and the same is hereby repealed; provided, however, that no claims, damages, charges and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 640, approved November 28, 1921, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 640.

SEC. 10. *And be it further ordained*, That Ordinance No. 1574, approved March 8, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges and/or liabilities which have arisen, accrued, or become due under Ordinance No. 1574, approved March 8, 1963, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 1574.

SEC. 11. *And be it further ordained*, That this ordinance shall take effect from March 8, 1963.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1684

(Council No. 2550)

An ordinance granting permission and authority to the United States Fidelity & Guaranty Company

to dig, continue to maintain, at its own cost, a tunnel measuring seven feet high by six feet wide inside measurement, the same to extend under the bed of Mercer Street, for the purpose of connecting its building situated on the southwest corner of Calvert and Redwood Streets, with a building situated on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets subject to certain terms, provisions and conditions; and to repeal Ordinance No. 606, approved June 15, 1921, and to repeal Ordinance No. 1575, approved March 8, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That permission and authority be and the same is hereby granted to the United States Fidelity & Guaranty Company to continue to maintain at its own cost, for a period of one year with renewals as hereinafter described, one structure, to wit:

A tunnel under and across the surface of Mercer Street, which tunnel shall connect the basement of the premises occupied by the said United States Fidelity & Guaranty Company, situate on the southwest corner of Calvert and Redwood Streets, with the basement of the building opposite to the above described premises, being situate on that lot of ground bounded by Mercer, Calvert, Water and Grant Streets; said grant to be upon the terms and conditions following, that is to say:

That the said tunnel, which shall measure nineteen feet, eight inches, more or less, in length, between curbs; shall extend from the basement of the premises on the southwest corner of Calvert and Redwood Streets, now occupied by the United States Fidelity & Guaranty Company, and connect with the corresponding basement of the building opposite on the lot of ground bounded by Mercer, Calvert, Water and Grant Streets, as shown on a plat hereto attached, and made a part of this ordinance.

That the said tunnel shall be so located beneath the surface of the street as to permit the free and uninterrupted passage of pipes and other utilities through the bed of Mercer Street.

That said tunnel shall be seven feet high and six feet wide, inside measurement.

That the ceiling shall be formed of reinforced concrete and of such scheme of construction as shall be directed and approved by the Bureau of Building Inspection of the City of Baltimore. That each side of said tunnel shall also be of reinforced concrete, the thickness thereof likewise to be in accordance with the approval of the Bureau of Building Inspection of the City of Baltimore.

That the foundation and floor shall be of concrete or of such other similar material as will meet the approval of the Bureau of Building Inspection of the City of Baltimore.

That no woodwork or other inflammable or combustible material shall be used in the construction of the same.

That said tunnel shall be erected and completed under the supervision of and to the satisfaction of the said Bureau of Building Inspection of the City of Baltimore.

That said tunnel shall be equipped with adequate fire doors which shall be approved by the Bureau of Building Inspection of the City of Baltimore.

SEC. 2. *And be it further ordained*, That the said grantee, its successors and assigns, shall pay to the said Mayor and City Council of Baltimore, as compensation for the franchise or privilege hereby granted the sum of Five Hundred Twenty-nine Dollars and Forty-three cents (\$529.43) per year, payable in advance during the continuance of this franchise or privilege, or any renewal thereof; and subject to the increase or decrease of this charge as provided in Section 3 herein.

SEC. 3. *And be it further ordained,* That the Mayor and City Council of Baltimore hereby expressly reserves the right and power, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with this grant and not inconsistent with the terms thereof. The franchise herein granted shall be held, exercised and enjoyed for a period of one year from the effective date of this ordinance, with the further right to the grantee to twenty-four (24) consecutive one year renewals of the franchise, each such renewal to be for a period of one year, upon the same terms and conditions as the original one year grant, except as otherwise provided herein. Each one year renewal period shall take effect immediately upon the expiration of the original or renewal term then in force, without any action being taken on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate twenty-five years. Provided, that the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the franchise charges payable by the grantee under the provisions hereof, by giving written notice to that effect to the grantee at least one hundred and fifty (150) days prior to the expiration of the original one year term granted herein, or any yearly renewal term herein granted and then in effect; any such increase or decrease of said franchise charges to be operative as to all yearly renewal terms herein granted which become effective after any increase or decrease in said franchise charges has occurred. Provided, further, that either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the grantee may terminate the franchise granted herein, by giving written notice to that effect to the other, at least ninety (90) days prior to the expiration of the original one year

term granted herein or any one year renewal term herein granted and then in effect.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall maintain the said superstructures, bridgeways, vaults or tunnels in good condition throughout the full term of this grant and so long as said structures as described herein shall exist at the location described herein.

SEC. 5. *And be it further ordained,* That non-compliance with any of the terms or conditions of the grant hereby made by the said grantee, its successors and assigns, at any time or times, shall at the option of the Mayor and City Council of Baltimore, operate as a forfeiture of said grant, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 6. *And be it further ordained,* That the Mayor of Baltimore City shall have the right to revoke the rights and privileges hereby granted at any time or times when, in his judgment, the public interest, welfare, safety, or convenience requires such revocation and, upon written notice to that effect from the Mayor of Baltimore served upon the grantee hereunder, its successors and assigns, all rights under this ordinance shall cease and terminate.

SEC. 7. *And be it further ordained,* That in the event of any revocation, forfeiture, or termination for any reason whatsoever of the rights and privileges by this ordinance granted, the said grantee hereunder, its successors and assigns shall, at its or their expense, promptly remove the said bridgeways in a manner satisfactory to the Building Inspection Engineer of Baltimore City, and promptly remove the said vault, bridgeway or tunnel in a

manner satisfactory to the Highways Engineer of Baltimore City, all such removals to be made without any compensation to the grantee, its successors and assigns.

SEC. 8. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suits, losses, costs, claims, damages, or expenses to which the said Mayor and City Council of Baltimore may from time to time be subjected on account of, by reason of, or in any way resulting from—

(a) The presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of said bridgeway, vault and tunnel, and

(b) Any failure on the part of said grantee, its successors and assigns, to perform, promptly and properly, any of the duties or obligations imposed upon it or them by the terms and provisions of this ordinance.

SEC. 9. *And be it further ordained,* That the said United States Fidelity and Guaranty Company shall pay to the City within thirty days after written notice from the Highways Engineer of the amount due, the cost of re-locating, strengthening or encasing in concrete all sub-surface structures belonging to the Mayor and City Council of Baltimore located in Mercer Street in or adjacent to the space to be occupied by said tunnel and shall also pay to the City within thirty days after written notice from the Highways Engineer of the amount due, the cost of re-locating any surface structures belonging to the City made necessary by the construction of said tunnel, the judgment of the Highways Engineer as to the work necessary to safeguard said sub-surface structures and as to the necessity of relocating any surface structures to be final.

SEC. 10. *And be it further ordained*, That Ordinance No. 606, approved June 15, 1921, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 606, approved June 15, 1921, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 606.

SEC. 11. *And be it further ordained*, That Ordinance No. 1575, approved March 8, 1963, be and the same is hereby repealed; provided, however, that no claims, damages, charges and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 1575, approved March 8, 1963, at any time or times prior to the passage and approval of this ordinance shall be in any way affected by the repeal of said Ordinance No. 1575.

SEC. 12. *And be it further ordained*, That this ordinance shall take effect from March 8, 1963.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1685

(Council No. 2553)

An ordinance to condemn and open a 2 foot alley laid out 68.0 feet northerly from West Baltimore Street and running westerly from Greene Street 170.0 feet to Pearl Street in accordance with a plat thereof numbered 184-A-13F, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Third (3rd) day of April, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open a 2 foot alley laid out 68.0 feet northerly from West Baltimore Street and running westerly from Greene Street 170.0 feet to Pearl Street, in accordance with a plat thereof numbered 184-A-13F, prepared by the Bureau of Surveys, and filed in the office of the Department of Assessments, on the Third (3rd) day of April, 1963, and now on file in said office; the said alley is numbered one on said plat and described as follows:

Beginning for the same at the point formed by the intersection of the west side of Greene Street, 66 feet wide, and the south side of a 2 foot alley laid out 68.0 feet northerly from West Baltimore Street, said point of beginning being northerly 68.0 feet, measured along the west side of said Greene Street, from the north side of West Baltimore Street, 66 feet wide, and running thence westerly, binding on the south side of said alley, 170.0 feet to intersect the east side of Pearl Street, 60 feet wide; thence northerly, binding on said east side, 2.0 feet to intersect the north side of said alley; thence easterly, binding on the north side of said alley, 170.0 feet to intersect the west side of said Greene Street and thence southerly, binding on said west side, 2.0 feet to the place of beginning.

The said 2 foot Alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Third (3rd) day of April in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said 2 foot Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all

applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1686

(Council No. 2554)

An ordinance to condemn and close a 2 foot alley laid out 68.0 feet northerly from West Baltimore Street and running westerly from Greene Street 170.0 feet to Pearl Street in accordance with a plat thereof numbered 184-A-13G, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fourth (4th) day of April, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close a 2 foot alley laid out 68.0 feet northerly from West Baltimore Street and running westerly from Greene Street 170.0 feet to Pearl Street, in accordance with a plat thereof numbered 184-A-13G, prepared by the Bureau of Surveys, and filed in the office of the Department of Assessments, on the Fourth (4th) day of April, 1963, and now on file in said office; the said alley is numbered one on said plat and described as follows:*

Beginning for the same at the point formed by the intersection of the west side of Greene Street, 66 feet wide, and the south side of a 2 foot alley laid out 68.0 feet northerly from West Baltimore Street, said point of beginning being northerly 68.0 feet, measured along the west side of said Greene Street, from the north side of West Baltimore Street, 66 feet wide, and running thence westerly, binding on the south side of said alley, 170.0 feet to intersect the east side of Pearl Street, 60 feet wide; thence northerly, binding on said east side, 2.0 feet to intersect the north side of said alley; thence easterly, binding on the north side of said alley, 170.0 feet to intersect the west side of said Greene Street and thence southerly, binding on said west side, 2.0 feet to the place of beginning.

The said 2 foot Alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Fourth (4th) day of April in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the

same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said 2 foot Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1687

(Council No. 2555)

An ordinance to condemn and open a portion of a 4 foot alley laid out 51.33 feet north of Pierce Street and beginning 67.25 feet east of N. Greene Street and running easterly 12.75 feet to the end thereof in accordance with a plat thereof numbered 271-A-26, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Third (3rd) day of April, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, a portion of a 4 foot alley laid out 51.33 feet north of Pierce Street and beginning 67.25 feet east of N. Greene Street and running easterly 12.75 feet to the end thereof, in accordance with a plat thereof numbered 271-A-26 prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Third (3rd) day of April, 1963, and now on file in said office; the portion of said alley is numbered one on said plat and described as follows:

Beginning for the same at a point on the south side of a 4 foot alley, laid out 51.33 feet north of Pierce Street, 20 feet wide, said point of beginning being easterly 67.25 feet measured along said south side from the east side of N. Greene Street, 66 feet wide, and being also the beginning of the second line of a parcel of land conveyed by Leroy A. Posner and wife to Royal Motel, Inc. by deed dated February 1, 1963 and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 1432 Folio 147 and running thence at a right angle to the south side of said alley, and crossing said alley, northerly 4.0 feet, to intersect the north side of said alley; thence easterly, binding on said north side, 12.75 feet to the

end thereof; thence southerly, binding on the east end of said alley, 4.0 feet and thence westerly, binding on said south side and binding reversely on the second line of said deed, 12.75 feet to the place of beginning.

The said 4 foot alley as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Third (3rd) day of April in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said 4 foot Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1688

(Council No. 2556)

An ordinance to condemn and close a portion of a 4 foot alley laid out 51.33 feet north of Pierce Street and beginning 67.25 feet east of N. Greene Street

and running easterly 12.75 feet to the end thereof in accordance with a plat thereof numbered 271-A-26A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fourth (4th) day of April, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close a portion of a 4 foot alley laid out 51.33 feet north of Pierce Street and beginning 67.25 feet east of N. Greene Street and running easterly 12.75 feet to the end thereof, in accordance with a plat thereof numbered 271-A-26A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fourth (4th) day of April, 1963, and now on file in said office; the portion of said alley is numbered one on said plat and described as follows:

Beginning for the same at a point on the south side of a 4 foot alley, laid out 51.33 feet north of Pierce Street, 20 feet wide, said point of beginning being easterly 67.25 feet measured along said south side from the east side of N. Greene Street, 66 feet wide, and being also the beginning of the second line of a parcel of land conveyed by Leroy A. Posner and wife to Royal Motel, Inc. by deed dated February 1, 1963 and recorded among the Land Records of Baltimore City in Liber J.F.C. No. 1432 Folio 147 and running thence at a right angle to the south side of said alley, and crossing said alley, northerly 4.0 feet, to intersect the north side of said alley; thence easterly, binding on said north side, 12.75 feet to the end thereof; thence southerly, binding on the east end of said alley, 4.0 feet and thence westerly, binding on said south side and binding reversely on the second line of said deed, 12.75 feet to the place of beginning.

The said 4 foot Alley as directed to be condemned being delineated and particularly shown on a plat

which was filed in the Office of the Department of Assessments on the Fourth (4th) day of April in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the **property of the Mayor and City Council of Baltimore**, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for

the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said 4 foot Alley and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1689

(Council No. 2567)

An ordinance to repeal and reordain with amendments subsections (a), (b), and (c) of Section 33 of Article 1 of the Baltimore City Code (1950 Edition), title "Mayor and City Council," subtitle "Baltimore City Economic Development Commission," as said subsections were ordained by Ordinance No. 1510, approved January 31, 1963, adding additional members to the Baltimore City Economic Development Commission, and specifying the source of these memberships and the

tenure of the additional members and changing the qualifications of the members of the Commission appointed at large.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That subsections (a), (b) and (c) of Section 33 of Article 1 of the Baltimore City Code (1950 Edition), title "Mayor and City Council," subtitle "Baltimore City Economic Development Commission," as said subsections were ordained by Ordinance No. 1510, approved January 31, 1963, be and they are hereby repealed and reordained with amendments to read as follows:

33.

(a) There is hereby created an agency of the Mayor and City Council of Baltimore to be known as the Baltimore City Economic Development Commission, which shall consist of eleven members. Ten of the members shall be appointed by the Mayor in the manner provided by Section 12 of the Baltimore City Charter as it now exists or as it hereafter may be amended, and shall consist of representatives of the following organizations:

One member of the Association of Commerce

One member of the Greater Baltimore Committee

One member of the Industrial Real Estate Council of Baltimore

One member of the Committee for Downtown, Inc.

One member of the Junior Association of Commerce

One member of the Steamship Trade Association

Four members from the public at large whose places of business are located in Baltimore City.

(b) The term of office of each of the aforesaid ten members of the Commission shall be four (4) years, except that the first ten members of the

Commission shall be appointed for staggered terms as follows: four to serve for two years; three to serve for three years; and three to serve for four years. The Mayor shall designate the terms of the members of the Commission first appointed.

(c) The eleventh member of the Commission shall be the person who is then Chairman of the Planning Commission.

SEC. 2. *And be it further ordained*, That nothing in this ordinance effects the membership or tenure of any person who is a member of the Baltimore City Economic Development Commission at the time this ordinance becomes effective. The one additional member who is provided by this ordinance shall have the tenure provided for him in the ordinance.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1690

(Council No. 2574)

An ordinance to waive the provisions of Paragraph 2144 and also of any other applicable provisions of Article 5 of the Baltimore City Code (1950 Edition, as amended), said Article being known generally as the Building Code of Baltimore City, in order to permit a portion of two fire escapes to be constructed and maintained a distance of 7 feet 6 inches above the north and south sidewalks of O'Donnell Street, on a school building on the premises near the intersection of Lakewood Avenue and O'Donnell Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the provisions of Paragraph 2144 and also of any other applicable provisions of Article 5 of the Baltimore City Code (1950 Edition, as amended) said Article being known generally as the Building Code of Baltimore City, are waived in order to permit the construction and maintenance of two fire escapes a distance of 7 feet 6 inches above the north and south sidewalks of O'Donnell Street, on a school building on the premises near the intersection of Lakewood Avenue and O'Donnell Street. Except as specifically provided in this ordinance, all other ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of these fire escapes.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1691

(Council No. 2576)

An ordinance to add Section 168 (1/2) to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, adding a portion of Garrett Avenue to the so-called "Parking Meter Ordinance" and thereby providing for the installation and operation of parking meters on said portion of Garrett Avenue.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 168 (1/2) be and

it is hereby added to Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking Meters," to be placed in its regular sequence in the subtitle, as said subtitle was ordained by Ordinance No. 1346, approved March 4, 1955, and to read as follows:

168.

(1/2) Garrett Avenue, east side, between Twenty-fifth Street and the first alley southerly therefrom between the hours of 8 A.M. and 6 P.M.

SEC. 2. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1692

(Council No. 2577)

An ordinance to repeal Section 137 (17a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking," as said section was ordained by Ordinance No. 1335, approved July 16, 1962, and to ordain a new Section 137 (17a) in lieu thereof, to stand in the place of the section so repealed, revising the provisions concerning the stopping and parking of vehicles on the east side of the Upper Level of St. Paul Street between Saratoga Street and Lexington Street.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That Section 137 (17a) of Article 38 of the Baltimore City Code (1950 Edition), title "Traffic Regulations," subtitle "Parking" as said section was ordained by Ordinance No. 1335,

approved July 16, 1962, be and it is hereby repealed; and that a new Section 137 (17a) be and it is hereby ordained in lieu thereof, to stand in the place of the section so repealed, and to read as follows:

137.

(17a) No vehicle is permitted to be stopped at any time on the east side of the Upper Level of St. Paul Street between Saratoga Street and Lexington Street.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 16, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1693

(Council No. 1452)

An ordinance to authorize The Baltimore and Ohio Railroad Company to construct, maintain and operate a track in the beds of Warner Street and Worcester Street, beginning at a point in the center line of the track of said railroad company now constructed in Warner Street and one hundred and thirty-eight (138) feet north of the north building line of Worcester Street and running thence in a southerly direction curving to the left forty-five (45) feet to a point twenty-eight (28) feet from the easterly building line of Warner Street; thence continuing in a southerly direction thirty-five (35) feet to a point of curve located twenty (20) feet from the easterly building line of Warner Street; thence continuing in a southerly direction curving to the right one hundred and twenty (120) feet to a point nine (9) feet from the easterly building line of Warner

Street; thence continuing in a southerly direction a distance of one hundred and fifteen (115) feet, parallel to and nine (9) feet from the easterly building line of Warner Street subject to certain terms, provisions and conditions.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That The Baltimore and Ohio Railroad Company be and it is hereby authorized to construct, maintain and operate a railroad track in the beds of Warner Street and Worcester Street, said track hereby authorized being described as follows:

Beginning at a point in the center line of the track of said railroad company now constructed in Warner Street and one hundred and thirty-eight (138) feet North of the north building line of Worcester Street and running thence in a southerly direction curving to the left forty-five (45) feet to a point twenty-eight (28) feet from the easterly building line of Warner Street; thence continuing in a southerly direction thirty-five (35) feet to a point of curve located twenty (20) feet from the easterly building line of Warner Street; thence continuing in a southerly direction curving to the right one hundred and twenty (120) feet to a point nine (9) feet from the easterly building line of Warner Street; thence continuing in a southerly direction a distance of one hundred and fifteen (115) feet, parallel to and nine (9) feet from the easterly building line of Warner Street.

The track hereby authorized by this ordinance is shown by the line colored red on the print hereto annexed which is made a part of this ordinance.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore shall, at all times, have and retain the power and right to reasonably regulate, in the public interest, the exercise of the right herein granted, and that the said right shall be executed and enjoyed within six months after the grant, and that the right herein

granted shall be held, exercised and enjoyed for the period of twenty-five years. Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms

thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in laying down and constructing from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be constructed and maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails to be used in the construction and renewals thereof, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The

grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and fifty cents (\$1.50) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon cars are not permitted to stand, and the sum of Three Dollars (\$3.00) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are permitted to stand, all payable in advance, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated in each category under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the

Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks;

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted; (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense,

the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and

including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors and assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors and assigns, shall not stand a car or cars on the track hereby authorized except on the southernmost one hundred (100) feet thereof.

SEC. 13. *And be it further ordained*, That the rights by this ordinance granted to construct, maintain and operate the said new single track on Warner and Worcester Streets shall be revocable by the Board of Estimates of Baltimore City whenever in its judgment the public interest, welfare and/or convenience may so require, and within six months after written notice of such revocation from the Highways Engineer of the City, the said Railroad Company, its successors and assigns, shall at its or their own expense and without compensation to it or them, remove the said track on Warner and Worcester Streets, and all the other provisions of this ordinance in anywise relating to removal of tracks shall apply to such removal upon notice of revocation.

SEC. 14. *And be it further ordained*, That this ordinance shall take effect from the date of its

passage, except that if said track is constructed before the passage of this ordinance, the franchise charge shall begin as of the date when construction of said track was started in Warner and Worcester Streets.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1694

(Council No. 1662)

An ordinance to authorize the Baltimore and Ohio Railroad Company to maintain and operate three railroad tracks in the bed of Fell Street south of Wolfe Street, the first track beginning at a point 56 feet southerly from the intersection of the east side of Wolfe Street with the easterly side of Fell Street and extending southerly 242 feet to the float bridge located at the foot of Fell Street; the second track having the same point of beginning in Fell Street as the said first track and extending southeasterly 150 feet to the easterly side of Fell Street; and the third track beginning at a point in said second track 127 feet southerly from the intersection of the east side of Wolfe Street with the easterly side of Fell Street and extending thence southerly in the bed of Fell Street 173 feet to the said float bridge at the foot of Fell Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 146 approved February 26, 1932.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be and it is hereby authorized to maintain and operate three railroad tracks in the bed of Fell Street south of Wolfe Street, the said tracks hereby authorized being described as follows:

Beginning for the center line of the first track at a point in the center line of the present track of the Baltimore and Ohio Railroad Company constructed in the center of Fell Street, said point of beginning being 29 feet westerly from the easterly side of Fell Street and 56 feet southerly from a point in said track opposite the intersection of the easterly side of Fell Street with the east side of Wolfe Street; and running thence southerly 242 feet along the bed of Fell Street to a connection with the center line of the west track on the float bridge of the said railroad company located at the foot of Fell Street, said point of connection being 31 feet west of the east side of Fell Street.

Beginning for the center line of the second track at the point of beginning of the said first track above described and extending thence southeasterly by a curve to the left 150 feet to the easterly side of Fell Street, said point of intersection with the easterly side of Fell Street being approximately 202 feet southerly from the intersection of the easterly side of Fell Street with the east side of Wolfe Street.

Beginning for the center line of the third track at a point in the center line of the second track above described, said point of beginning being 18 feet west of the easterly side of Fell Street and 127 feet southerly measured along the center line of said track and its connecting track from a point in said connecting track opposite the intersection of the easterly side of Fell Street with the east side of Wolfe Street; and running thence southerly in the bed of Fell Street on a curve to the right with a radius of 380 feet a distance of 50 feet to a point 14 feet west of the easterly side of Fell Street; and thence southerly in the bed of Fell Street 123 feet to a connection with the center line of the east track on the said float bridge at the foot of Fell Street, said point of connection being 16 feet west of the easterly side of Fell Street.

For identification purposes only, the three tracks authorized by this Ordinance are as shown by the lines colored red on the blueprint attached to Ordinance No. 146, approved February 26, 1932.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the

Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree

between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own

expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained*, That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above

charges by revaluation as provided in Section 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting, strengthening or encasing in concrete of curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by

abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors or assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, re-

location and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors or assigns, shall not stand a car or cars on the tracks hereby authorized, but cars may temporarily stand on all the tracks by this ordinance authorized on Fell Street south of Wolfe Street for the length of time required by the Railroad Company to handle them at said proposed float bridge.

SEC. 13. *And be it further ordained*, That Ordinance No. 146, approved February 26, 1932, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 146, approved February 26, 1932, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 146.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1695

(Council No. 1663)

An ordinance to authorize The Baltimore and Ohio Railroad Company to maintain and operate a single railroad track in the bed of South Wolfe Street, beginning at a point one hundred and fifty-six feet south of the south side of Thames Street and extending southerly by a curve into the property on the east side of Wolfe Street at a point two hundred and sixty-eight feet south of the south building line of Thames Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 179, approved March 21, 1932.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That The Baltimore and Ohio Railroad Company be, and it is hereby authorized to maintain and operate a single railroad track in the bed of South Wolfe Street, the said track hereby authorized being described as follows:

Beginning for the center line of said track at a point in the center of the track of The Baltimore and

Ohio Railroad Company now constructed in the bed of said Wolfe Street one hundred and fifty-six feet south of the intersection of the South building line of Thames Street with the said center line of said track now constructed, and running thence southerly, from the track hereby authorized, in the bed of Wolfe Street on a curve to the left with a radius of two hundred and eighty-seven feet the distance of fifty-nine feet to a point, and thence southerly on a curve to the left with a radius of one hundred and twenty-eight feet the distance of sixty feet to a point in the east building line of South Wolfe Street two hundred and sixty-eight feet south of the south building line of Thames Street measured along the east building line of South Wolfe Street.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the line colored red on the blueprint attached to Ordinance No. 179, approved March 21, 1932.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either

the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its

tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained*, That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms there-

of, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained*, That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of

them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Section 2 of this ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface struc-

tures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating,

supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors or assigns, shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 179, approved March 21, 1932, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 179, approved March 21, 1932, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 179.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1696

(Council No. 1664)

An ordinance to authorize the Baltimore and Ohio Railroad Company to maintain and operate a single railroad track at the intersection of Kreson Street (formerly Eleventh Street) and East

Fayette Street, beginning on the east building line of Kresson Street at a point of connection with the west end of the present track now maintained by said Railroad Company in the bed of East Fayette Street and extending thence southwesterly across the bed of Kresson Street into the property at the southwest corner of East Fayette and Kresson Streets; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 209, approved April 25, 1932.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Baltimore and Ohio Railroad Company be and it is hereby authorized to maintain and operate a single railroad track at the intersection of East Fayette Street and Kresson Street (formerly Eleventh Street), the center line of which is described as follows:

Beginning for the same at a point in the east building line of Kresson Street, at the center line of the west end of the present track now maintained in the bed of East Fayette Street by the said Railroad Company, said point of beginning being nine (9) feet north of the south building line of East Fayette Street and running thence southwesterly across Kresson Street on a curve to the left with a radius of two hundred and eighty-eight (288) feet the distance of forty-two (42) feet; thence on a tangent to said curve the distance of twenty-five (25) feet to the point formed by the intersection of the south building line of East Fayette Street and the west building line of Kresson Street and into the property there situated.

For identification purposes only, the location of the track authorized by this Ordinance is as shown by the line colored red on the blueprint attached to Ordinance No. 209, approved April 25, 1932.

SEC. 2. *And be it further ordained*, That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of

the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation

aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbi-

trators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and

alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Section 2 of this ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time

to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted

shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained,* That should the said grantee, its successors or assigns, fail neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained,* That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to

whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the said grantee, its successors or assigns, shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 13. *And be it further ordained*, That Ordinance No. 209, approved April 24, 1932, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 209, approved April 24, 1932, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 209.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1697

(Council No. 1665)

An ordinance to authorize the Philadelphia, Baltimore and Washington Railroad Company and the Pennsylvania Railroad Company, Lessee of the Philadelphia, Baltimore and Washington Railroad Company, to locate an existing single railroad track in Toone Street, at a point about 10 feet west of Dean Street; to maintain about 90 feet of single track, beginning at a point in said relocated track on the south side of Toone Street about 50 feet east of Dean Street, and extending thence northwesterly to intersect the north line of Toone Street at a point about 20 feet west of the east building line of Dean Street; and to maintain about 70 feet of single track across O'Donnell Street at or near the center of Dean Street; subject to certain terms, provisions and conditions; and to repeal Ordinance No. 528, approved December 7, 1933.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Philadelphia, Baltimore and Washington Railroad Company and the Pennsylvania Railroad Company, Lessee of the Philadelphia, Baltimore and Washington Railroad Company, hereinafter called the "Railroad Company" or "Grantee", be and they are hereby authorized—

(A) To maintain an existing single railroad track in Toone Street at a point about 10 feet west of the west building line of Dean Street;

(B) To maintain and operate about 90 feet of single track, beginning at a point in the above mentioned track on the south side of Toone Street about 50 feet east of the east building line of Dean Street, and extending thence northwesterly to intersect the north building line of Toone Street at a point about 20 feet west of the east building line of Dean Street;

(C) To maintain and operate about 70 feet of single track across O'Donnell Street at or near the center of Dean Street.

For identification purposes only, the location of the tracks authorized by this ordinance are as shown by the lines colored red and colored yellow, which plat was hereto attached and made a part of Ordinance No. 528 approved December 7, 1933.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and

eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained,* That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the

sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained,* That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum, payable in advance, during the continuance of said franchise and rights, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated under the provisions of this ordinance; and the said grantee shall also pay all expenses of advertising this ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided for in SEC. 2 of this ordinance.

SEC. 7. *And be it further ordained,* That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting

pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all

such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation, maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained*, That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the

entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained*, That the rights by this ordinance granted to construct, maintain and operate the said single track across O'Donnell Street shall be revocable by the Board of Estimates of Baltimore City whenever in its judgment the public interest, welfare and/or convenience may so require, and within six months after written notice of such revocation from the Highways Engineer of the City, the said Railroad Company, its successors and assigns, shall at its or their own expense and without compensation to it or them, remove the said track across O'Donnell Street, and all the other provisions of this ordinance in anywise relating to removal of tracks shall apply to such removal upon notice of revocation.

SEC. 13. *And be it further ordained*, That the said grantee, its successors or assigns, shall not stand a car or cars on any part or parts of the track hereby authorized.

SEC. 14. *And be it further ordained*, That Ordinance No. 528 approved December 7, 1933, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 528, approved December 7, 1933, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 528.

SEC. 15. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1698
(Council No. 1666)

An ordinance to authorize the Philadelphia, Baltimore and Washington Railroad Company and the Pennsylvania Railroad Company, Lessee of the Philadelphia, Baltimore and Washington Railroad Company, to maintain and operate about 110 feet of single railroad track in the bed of Fleet Street east of President Street, said track constituting an extension westward of the center track of the three existing tracks in said Fleet Street east of President Street, subject to certain terms, provisions and conditions; and to repeal Ordinance No. 527, approved December 7, 1933.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore, That the Philadelphia, Baltimore and Washington Railroad Company and the Pennsylvania Railroad Company, Lessee of the Philadelphia, Baltimore and Washington Railroad Company, hereinafter called the "Railroad Company" or "Grantee", be and they are hereby authorized to maintain and operate about 110 feet of single railroad track in the bed of Fleet Street east of President Street, the center line of said track being located as follows:*

Beginning in the bed of Fleet Street at a point located about 47.5 feet south of the north building line of Fleet Street and about 150 feet east of the east building line of President Street, which point of beginning is also located at the westernmost end of the center track of the three existing tracks of the grantee in said Fleet Street, and running thence westwardly, extending said existing track in a straight line, the distance of about 110 feet.

For identification purposes only, the location of the tracks authorized by this Ordinance are as shown by the lines colored yellow on the blueprint attached to and made a part of Ordinance No. 527, approved December 7, 1933.

SEC. 2. *And be it further ordained,* That the Mayor and City Council of Baltimore, at all times, shall have and retain the power and right to reasonably regulate, in the public interest, the exercise of the franchise herein granted. The franchise herein granted shall be held, exercised and enjoyed for a period of five years from the effective date of this Ordinance, with the further right to the grantee to four (4) consecutive renewals of the franchise, each such renewal to be for a period of five years, upon the same terms and conditions as the original five year grant, except as otherwise provided herein. Each five year renewal period shall take effect immediately upon the expiration of the term then in force without any action being required on behalf of either the Mayor and City Council of Baltimore or the grantee, but the total period of time during which the franchise shall operate, including the original term and all renewals thereof, shall not exceed, in the aggregate, twenty-five years, provided that upon the giving of written notice requesting a revaluation of the franchise charges by either the Mayor and City Council of Baltimore or the grantee, to the other, at least one hundred and eighty (180) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted then in effect, there shall be a revaluation of the rights granted herein, for the purpose of increasing or decreasing the franchise charges payable by the grantee under the provisions hereof. The said revaluation shall be determined by two arbitrators, one to be appointed by the Mayor of the City of Baltimore, and the other to be appointed by the grantee, its successors or assigns. In the event, said arbitrators shall be unable to agree between themselves as to a fair revaluation of the rights granted herein they shall appoint a third arbitrator, and the decision of the majority of said arbitrators shall be final and binding as to the revaluation aforesaid; provided that if said arbitrators shall, after a reasonable time, fail to agree upon the third arbitrator, then the

Chief Judge of the Supreme Bench of Baltimore City shall appoint said third arbitrator and the decision of the majority of the said arbitrators shall be final and binding as to the revaluation aforesaid. The revaluation by the said arbitrators, as aforesaid, shall be rendered not less than sixty (60) days prior to the expiration of the original five year term granted herein, or any renewal term herein granted and then in effect, and the franchise charges herein shall be increased or decreased as revalued without further action by either the Mayor and City Council of Baltimore or the grantee, upon the commencement of the renewal term then beginning. Provided, further, that either the Mayor and City Council of Baltimore acting by and through the Director of Public Works, or the grantee, may terminate the franchise granted herein by giving written notice to that effect to the other at least one hundred and twenty (120) days prior to the expiration of the original five (5) year term granted herein or any five (5) year renewal term then in effect, and the grantee shall forthwith remove its tracks and appurtenances so affected at its sole and entire expense as provided in Section 8 herein.

Upon the termination of the rights granted herein, if the Mayor and City Council of Baltimore shall elect to purchase the plant and property of the grantee instead of requiring its removal, there shall be a fair valuation of the plant and property of said grantee, to be operated and maintained by virtue of this Ordinance, which shall be and become the property of the Mayor and City Council of Baltimore, at its election, on its paying said grantee said valuation; the payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this Ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its successors or assigns, who, in case they shall be unable to agree

between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said arbitrators shall, after a reasonable time, fail to agree upon a third arbitrator, then the Chief Judge of the Supreme Bench of Baltimore City shall appoint such arbitrator. Provided that, nothing in this Section 2, shall be construed to prevent the Mayor and City Council of Baltimore from requiring the removal of the plant and property of the grantee without cost to the City upon termination of the franchise for any reason whatsoever as provided for in Section 8 hereof.

SEC. 3. *And be it further ordained*, That the right and power are hereby expressly reserved to the Mayor and City Council of Baltimore, at all times, to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that non-compliance, at any time or times, by the grantee, its successors or assigns, with any of the terms of the grant hereby made, shall, at the sole option of the Mayor and City Council of Baltimore, operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns, shall, at its own expense, in operating and maintaining from time to time, its said railroad tracks on said streets and alleys, adjust its said tracks to the grades of said streets and alleys as the same are now or may hereafter be established by law, and shall, at its own expense, keep the said tracks and the spaces between the rails of said tracks and for two feet on either side thereof in thorough repair, and shall, at its own expense, keep the same free from snow or other

obstruction, but without obstructing the other portions of said streets and alleys on either side of said tracks, and shall pay to the Mayor and City Council of Baltimore, if and so often as said streets and alleys, or any of them, shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the spaces between the rails of said tracks and for two feet on either side thereof, of whatever materials the same may be constructed.

SEC. 5. *And be it further ordained,* That the tracks hereby authorized shall be maintained under the supervision and to the entire satisfaction of the Highways Engineer of Baltimore City, and that the rails used or to be used therefor, from time to time, shall be of such character, size and weight as the said Highways Engineer shall determine. The grantee hereunder, its successors or assigns, shall, from time to time, at its or their own expense, change the location of the tracks hereby authorized, or any of them, whenever in the judgment of said Highways Engineer the public interest, convenience, safety and/or welfare may so require.

SEC. 6. *And be it further ordained,* That the compensation to be paid by the said grantee, its successors and assigns, for the franchise and rights hereby granted shall be the sum of One Dollar and Fifty Cents (\$1.50) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are not permitted to stand, and the sum of Three Dollars (\$3.00) per lineal foot of single track per annum for those portions of the tracks hereby authorized upon which cars are permitted to stand, all payable in advance, the number of feet of track and the total amount of said annual compensation to be fixed by the Highways Engineer of Baltimore City upon the measurement by him of the actual number of lineal feet of track constructed, maintained or operated in each category under the provisions of this ordinance; and

the said grantee shall also pay all expenses of advertising the ordinance; subject, however, to the increase or decrease of the above charges by revaluation as provided in Sec. 2 of this ordinance.

SEC. 7. *And be it further ordained*, That the said grantee, its successors and assigns, shall also pay to the Mayor and City Council of Baltimore, from time to time, within thirty days after written notice from the Highways Engineer of the amount or amounts due, the cost of any or all of the following work, in so far as the same becomes necessary from time to time by reason of, or in any way resulting from the construction, maintenance, operation, presence, use, location, relocation, repair, alteration or removal of said tracks:

A. The relocating, altering, repairing, replacing, protecting, strengthening or encasing in concrete of any or all subsurface structures belonging to the Mayor and City Council of Baltimore located in the streets and alleys occupied by said tracks:

B. The relocating, altering, replacing, repairing, protecting or strengthening of any or all paving, curbing and sidewalks and all other surface structures belonging to the Mayor and City Council of Baltimore located in said streets and alleys;

C. Such additional sewer inlet, inlets, and other drainage structures, with the necessary connecting pipe or pipes, as may be required for the purpose of proper drainage of said streets, alleys, and tracks;

The judgment of the Highways Engineer of Baltimore City as to the necessity for any or all of the above-mentioned work, from time to time, to be final.

SEC. 8. *And be it further ordained*, That upon the termination of the franchise herein granted: (a) by any action taken by either the Mayor and City Council of Baltimore or the grantee; (b) by removal by the grantee, its successors or assigns, of the tracks herein authorized; (c) by forfeiture

of any or all of the rights herein granted; (d) by abandonment of the use of any or all of the tracks herein authorized, by the grantee, its successors or assigns; (e) or by termination of the rights herein granted for any reason or cause whatsoever, and the election of the Mayor and City Council of Baltimore not to purchase the plant and property of the grantee, all the franchises and rights hereby granted shall cease and terminate as to the tracks and franchises so affected, without any compensation being paid to the said grantee, its successors or assigns, and the said grantee, its successors or assigns, shall promptly remove the tracks and appurtenances so affected, at its sole and entire expense, when ordered to do so by the said Highways Engineer of Baltimore City. Upon any and all such removals of tracks, the grantee, its successors and assigns, shall promptly pave or repave, at their entire expense, the street bed, curbs and sidewalks of all streets and alleys disturbed by such removal of tracks, the said paving or repaving to be done with such materials and in such manner as may be designated by the said Highways Engineer, in each instance.

SEC. 9. *And be it further ordained*, That should the said grantee, its successors or assigns, fail, neglect or refuse to perform within a reasonable time any of the work herein required to be done by them, from time to time, then and in any and all such instances the said Mayor and City Council of Baltimore is hereby authorized to proceed to do said work and collect all costs and expenses thereof from said grantee, its successors and assigns.

SEC. 10. *And be it further ordained*, That the said grantee, its successors and assigns, shall be liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against any and all suit or suits, losses, claims, demands, damages, costs and/or expenses to which said Mayor and City Council of Baltimore may from time to time be subjected by reason of, or in anywise resulting from the presence, construction, use, operation,

maintenance, alteration, repair, location, relocation and/or removal of said railroad tracks, or any of them, and whether such suit or suits, losses, claims, demands, damages, costs and/or expenses be against, suffered or sustained by the said Mayor and City Council of Baltimore or be against, suffered or sustained by other corporations and persons to whom the said Mayor and City Council of Baltimore may become liable therefor.

SEC. 11. *And be it further ordained,* That if at any time or times hereafter in the performance of any public work (whether said public work is governmental or proprietary in function, whether said public work be performed and/or financed either in whole or in part by the City, State and/or the Federal government, or any of their agencies, and including, but not limited to, highway or expressway construction or relocation, urban renewal and public works and housing projects of any nature) the said Highways Engineer of Baltimore City shall in his sole judgment determine that the public interest, convenience, safety, and/or welfare require the adjusting, altering, shifting, moving, relocating, supporting, protecting and/or accommodating of any or all of said tracks, the said grantee, its successors and assigns, shall, in any and all such cases, promptly upon written notice from the said Highways Engineer, without compensation and at the entire cost and expense of the said grantee, its successors or assigns, adjust, alter, shift, move, relocate, support, protect and/or accommodate their said tracks, in whole or in part and temporarily or permanently, so as to fully meet the exigencies occasioning such notice.

SEC. 12. *And be it further ordained,* That the said grantee, its successors or assigns, shall be permitted to stand a car or cars on the tracks hereby authorized. Provided, however, that the rights to stand a car or cars on the track hereby authorized shall be revocable by the Board of Estimates at any time

when in its judgment the public welfare or convenience may so require.

SEC. 13. *And be it further ordained*, That Ordinance No. 527, approved December 7, 1933, be and the same is hereby repealed; provided, however, that no claims, damages, charges, and/or liabilities which have arisen, accrued, or become due under said Ordinance No. 527, approved December 7, 1933, at any time or times prior to the passage and approval of this Ordinance shall be in any way affected by the repeal of said Ordinance No. 527.

SEC. 14. *And be it further ordained*, That this Ordinance shall take effect on January 1, 1963.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1699

(Council No. 1983)

An ordinance to repeal and reordain with amendments, Section 31 F. of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning", as the said Article was revised by Ordinance No. 711, approved May 21, 1953, and as said section was amended by Ordinance No. 1288, approved December 14, 1954, and as further amended by Ordinance No. 943, approved October 9, 1961, amending the zoning ordinance of Baltimore City with particular respect to the height of ornamental fences and walls in various area districts; and relating generally to such ornamental fences and walls within the terms of the zoning ordinance of Baltimore City.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 31 F. of Article

40 of the Baltimore City Code (1950 Edition), title "Zoning", as said article was revised by said Ordinance No. 711 approved May 21, 1953, and as said section was amended by Ordinance No. 1288, approved December 14, 1954, and as further amended by Ordinance No. 943, approved October 9, 1961, be and it is hereby repealed and reordained with amendments, to read as follows:

F. Fences and walls not exceeding five and one-half feet in height may be erected in required side or rear yards, and fences and walls not exceeding three and one-half feet in height may be erected in required front yards. Notwithstanding the height regulations of this Ordinance, other fences and walls permitted by the Area District regulations shall be limited in height to five and one-half feet in Residential and Residential and Office Use Districts. However, where a fence or wall is required for the protection of the property or the use thereof, the Board of Municipal and Zoning Appeals may, after public hearing, at its discretion, in a specific case, permit a fence or wall in any location on a lot, of a height in excess of the limitations set forth in this Subsection F, but not in excess of other applicable height limitations of this Ordinance. An ornamental light post not over six feet in height measured from the ground level, and not nearer than five feet to the front lot line and equipped with a lamp of not over one hundred watts capacity, shall be permitted in any required yard.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1700

(Council No. 2379)

An ordinance to amend Sheet No. 45 of the Use District and Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), titled "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing the areas outlined in red on the four plats accompanying this ordinance; and numbered 1 from the First Commercial Use and B-1½ Height and Area Districts to the Residential Use and B-1½ Height and Area Districts; and numbered 2 from the Residential and Office Use and A-2 Height and Area Districts to the Residential and Office Use and B-1½ Height and Area Districts; and numbered 3 from the First Commercial Use and A-2 Height and Area Districts to the Residential and Office Use and B-1½ Height and Area Districts; and numbered 4 from the First Commercial Use and A-2 Height and Area Districts to the Residential Use and B-1½ Height and Area Districts; and numbered 5 from the Residential and Office Use and A-2 Height and Area Districts to the Residential Use and B-1½ Height and Area Districts; and numbered 6 from the Residential Use and B-1½ Height and Area Districts to the Residential Use and B-2 Height and Area Districts; and Numbered 7 from the Residential and Office Use and A-2 Height and Area Districts to the Residential Use and A-2½ Height and Area Districts; and numbered 8 from the Residential Use and B-1½ Height and Area Districts to the Residential Use and A-2½ Height and Area Districts; and numbered 9 from the Residential Use and B-1½ Height and Area Districts to the First Commercial Use and A-2½ Height and Area Districts; and numbered 10 from the First Commercial Use and B-1½ Height and Area Districts to the First Commercial Use and A-2½ Height and Area Districts; and numbered 11 from the Residential Use and A-2 Height and Area Dis-

tricts to the Residential Use and B-11½ Height and Area Districts; in the area generally bounded by Laurens Street, Brevard Street, Dolphin Street and McCulloh Street.

WHEREAS, the Mayor and City Council of Baltimore, by the enactment of Ordinance No. 912, approved July 3, 1961, and by Resolution adopted by the Board of Estimates on July 19, 1961, has approved a Renewal Plan for Mount Royal-Fremont Project I, known as Madison-Park South, in the Mount Royal-Fremont Renewal Area; and

WHEREAS, said Renewal Plan proposes the rezoning of the hereinafter designated areas as indicated for the purpose of effecting the objectives of the Renewal Plan, now, therefore;

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet 45 of the Use District and Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), titled "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, be and it is hereby amended by changing the areas on the four plats accompanying this Ordinance which areas are outlined in red and

1. numbered 1 from the First Commercial Use and B-11½ Height and Area Districts to the Residential Use and B-11½ Height and Area Districts; and

2. numbered 2 from the Residential and Office Use and A-2 Height and Area Districts to the Residential and Office Use and B-11½ Height and Area Districts; and

3. numbered 3 from the First Commercial Use and A-2 Height and Area Districts to the Residential and Office Use and B-11½ Height and Area Districts; and

4. numbered 4 from the First Commercial Use

and A-2 Height and Area Districts to the Residential Use and B-1½ Height and Area Districts; and

5. numbered 5 from the Residential and Office Use and A-2 Height and Area Districts to the Residential Use and B-1½ Height and Area Districts; and

6. numbered 6 from the Residential Use and B-1½ Height and Area Districts to the Residential Use and B-2 Height and Area Districts; and

7. numbered 7 from the Residential and Office Use and A-2 Height and Area Districts to the Residential Use and A-2½ Height and Area Districts; and

8. numbered 8 from the Residential Use and B-1½ Height and Area Districts to the Residential Use and A-2½ Height and Area Districts; and

9. numbered 9 from the Residential Use and B-1½ Height and Area Districts to the First Commercial Use and A-2½ Height and Area Districts; and

10. numbered 10 from the First Commercial Use and B-1½ Height and Area Districts to the First Commercial Use and A-2½ Height and Area Districts; and

11. numbered 11 from the Residential Use and A-2 Height and Area Districts to the Residential Use and B-1½ Height and Area Districts in the area generally bounded by Laurens Street, Brevard Street, Dolphin Street and McCulloh Street.

SEC. 2. *And be it further ordained*, That upon the passage of this Ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the Ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treas-

urer shall transmit a copy of the Ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the Ordinance and one of the plats to the Planning Commission, and a copy of the Ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That in the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Ordinance or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this Ordinance without the word, phrase, clause, sentence, paragraph, section or part or the application thereof so held invalid.

SEC. 4. *And be it further ordained*, That this Ordinance shall take effect from the date of its passage.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1701

(Council No. 2403)

An ordinance to amend Sheet No. 25 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the F-40 Height and Area District to the C-2 Height and Area District, the property on the west side of North Charles Street, south from Highfield Road, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 25 of the

Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the F-40 Height and Area District to the C-2 Height and Area District, the property on the west side of North Charles Street, south from Highfield Road, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained,* That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained,* That this ordinance shall take effect from the date of its passage.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor.*

No. 1702

(Council No. 2404)

An ordinance to amend Sheet No. 2 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May

21, 1953, by changing from the E-40 Height and Area District to the F-40 Height and Area District, the property on the northeast side of Pimlico Road, and the southwest side of Green Meadow Parkway West, southeast from their intersection, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 2 of the Height and Area District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the E-40 Height and Area District to the F-40 Height and Area District, the property on the northeast side of Pimlico Road, and the southwest side of Green Meadow Parkway West, southeast from their intersection, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1703

(Council No. 2522)

An ordinance to amend Sheet No. 16 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the Residential and Office Use District the property on the west side of York Road, north from Charter Oak Avenue, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 16 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the Residential and Office Use District the property on the west side of York Road, north from Charter Oak Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1704

(Council No. 2541)

An ordinance to amend Sheet No. 16 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance No. 711, approved May 21, 1953, by changing from the Residential Use District to the First Commercial Use District the property lying easterly from York Road and northerly from Radnor Avenue, as outlined in red on the four plats accompanying this ordinance.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Sheet No. 16 of the Use District Map of Article 40 of the Baltimore City Code (1950 Edition), title "Zoning," as revised by Ordinance 711, approved May 21, 1953, be and it is hereby amended by changing from the Residential Use District to the First Commercial Use District the property lying easterly from York Road and northerly from Radnor Avenue, as outlined in red on the four plats accompanying this ordinance.

SEC. 2. *And be it further ordained*, That upon the passage of this ordinance by the City Council, as evidence of the authenticity of the plat which is a part hereof, and in order to give notice to the departments which are administering the Zoning Ordinance, the said plats shall be signed by the President of the City Council, and upon approval of the ordinance by the Mayor, said plats shall be signed by the Mayor of the City of Baltimore, and

the City Treasurer shall transmit a copy of the ordinance and one of the plats to the Board of Municipal and Zoning Appeals, a copy of the ordinance and one of the plats to the Planning Commission, and a copy of the ordinance and one of the plats to the Building Inspection Engineer.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 17, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1705

(Council No. 2350)

An ordinance authorizing the acquisition by purchase or condemnation, by the Mayor and City Council of Baltimore, of the fee simple interests or such other interests as the Director of Public Works may deem necessary or sufficient, in and to certain pieces or parcels of land situate in Baltimore City, for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of (a) Moravia Road, 90 feet wide, from Sinclair Lane to 520 feet southeast of Pulaski Highway, except said 90 foot width varies at the following four (4) locations, namely, (1) from 145.33 feet at Sinclair Lane to 90 feet at a point 345 feet east thereof, (2) from 90 feet, at a point 250 feet southeast of Truesdale Avenue to 1150 feet at the Baltimore Harbor Tunnel Thruway, (3) from 360 feet at a point 625 feet east of the center line of said Baltimore Harbor Tunnel Thruway to 300 feet at a point 160.73 feet northwest of Pulaski Highway and (4) from 300 feet at a point 160.73 feet northwest of Pulaski Highway to 1280 feet at the Pulaski Highway Interchange, and (b) an interconnecting

80 foot Road extending from Bowleys Lane to Moravia Road as now laid out and paved and authorizing the acquisition by purchase or condemnation of any property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said (a) Moravia Road and (b) said interconnecting 80 foot Road; and authorizing the making of all necessary agreements concerning said (a) Moravia Road and (b) said interconnecting 80 foot Road; and authorizing the construction of said (a) Moravia Road and (b) said interconnecting 80 foot Road; the location and course of said (a) Moravia Road and (b) said interconnecting 80 foot Road being shown on a plat thereof numbered 210-A-8H.1, and the extinguishable slope easements being shown on a plat numbered 210-A-8H. 2 prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the Seventeenth (17th) day of December, 1962, revised February 21, 1963, and April 1, 1963.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That it is necessary to acquire by purchase or condemnation, for public highway purposes, namely, for the opening, widening, grading, construction and maintenance of (a) Moravia Road, 90 feet wide, from Sinclair Lane to 520 feet southeast of Pulaski Highway, except said 90 foot width varies at the following four (4) locations, namely, (1) from 145.33 feet at Sinclair Lane to 90 feet at a point 345 feet east thereof, (2) from 90 feet, at a point 250 feet southeast of Truesdale Avenue to 1150 feet at the Baltimore Harbor Tunnel Thruway, (3) from 360 feet at a point 625 feet east of the center line of said Baltimore Harbor Tunnel Thruway to 300 feet at a point 160.73 feet northwest of Pulaski Highway and (4) from 300 feet at a point 160.73 feet northwest of Pulaski Highway to 1280 feet at the Pulaski Highway Interchange, and (b) an interconnecting 80 foot Road extending from Bowleys Lane to Moravia Road, as now laid out

and paved, the fee simple interests or such other interests as the Director of Public Works may deem necessary in and to pieces or parcels of land, situate in Baltimore City including the improvements thereon, bounded as follows:

Beginning for the same at a point on the south side of Sinclair Lane, 140 feet wide, at the distance of 41.96 feet, measured along the south side of said Sinclair Lane from the southeast corner of said Sinclair Lane and Moravia Road, as now laid out 80 feet wide, and running thence for new line of division by a line curving to the left with a 20.0 foot radius, the distance of 31.37 feet, which arc is subtended by a chord bearing South $35^{\circ}-09'-42''$ West 28.25 feet to intersect a line drawn parallel with and distant 102 feet easterly, measured at right angles from the west side of said Moravia Road, 80 feet wide; thence binding on said line so drawn and on a line drawn parallel with and distant 102 feet easterly, measured radially from the west side of said Moravia Road, 80 feet wide, the two following courses and distances, namely, South $09^{\circ}-46'-20''$ East 33.22 feet and by a line curving to the left with a 1536.62 foot radius, the distance of 166.78 feet, which arc is subtended by a chord bearing South $12^{\circ}-52'-54''$ East 166.70 feet; thence for new lines of division the two following courses and distances, namely, by a line curving to the right with a 572.89 foot radius the distance of 50.17 feet, which arc is subtended by a chord bearing South $10^{\circ}-58'-23''$ East 50.16 feet and by a line curving to the left with a 329.97 foot radius the distance of 50.20 feet, which arc is subtended by a chord bearing South $10^{\circ}-58'-23''$ East 50.16 feet to intersect a line drawn parallel with and distant 90 feet northeasterly, measured radially from the southwest side of said Moravia Road, 80 feet wide; thence binding on said line so drawn and on a line drawn parallel with and distant 90 feet northeasterly, measured at right angles from the southwest side of said Moravia Road, 80 feet wide, the two following courses and distances, namely, by a line curving to the left with a 1548.62 foot

radius, the distance of 335.78 feet, which arc is subtended by a chord bearing South $25^{\circ}-54'-08''$ East 335.13 feet and South $32^{\circ}-06'-50''$ East 638.96 feet; thence for new lines of division the three following courses and distances, namely, by a line curving to the left, with a 23.0 foot radius the distance of 38.14 feet, which arc is subtended by a

chord bearing South $79^{\circ}-35'-15''$ East 33.90 feet to intersect the northwest side of Truesdale Avenue, 50 feet wide, South $27^{\circ}-37'-35''$ East, crossing said Truesdale Avenue diagonally, 50.69 feet to intersect the southeast side of said Truesdale Avenue and by a line curving to the left, with a 23.0 foot radius the distance of 34.14 feet, which arc is subtended by a chord bearing South $10^{\circ}-24'-45''$ West 31.09 feet to intersect a line drawn parallel with and distant 90 feet northeasterly, measured at right angles from the southwest side of said Moravia Road, 80 feet wide; thence binding on said line so drawn South $32^{\circ}-06'-50''$ East 237.64 feet; thence for new lines of division the four following courses and distances, namely, by a line curving to the right, with a 4271.06 foot radius the distance of 689.53 feet, which arc is subtended by a chord bearing South $27^{\circ}-29'-20''$ East 688.78 feet, by a line curving to the left, with a 15.0 foot radius the distance of 23.37 feet, which arc is subtended by a chord bearing South $67^{\circ}-29'-45''$ East 21.08 feet, North $67^{\circ}-52'-20''$ East 93.10 feet and by a line curving to the right with a 422.23 foot radius the distance of 274.50 feet, which arc is subtended by a chord bearing North $86^{\circ}-29'-47''$ East 269.69 feet to intersect the northwest side of Moravia Road, as now laid out 80 feet wide; thence South $15^{\circ}-07'-14''$ West crossing said Moravia Road, 80.0 feet to intersect the southeast side of said Moravia Road and a line drawn parallel with and distant 80.0 feet southeasterly, measured radially from the fifteenth line of this description; thence reversing said line so drawn and binding thereon and on a line drawn parallel with and distant 80.0 feet southeasterly measured at right angles from the fourteenth line of

this description, the two following courses and distances, namely, by a line curving to the left, with a 342.23 foot radius the distance of 222.49 feet, which arc is subtended by a chord bearing South $86^{\circ}-29'-47''$ West 218.59 feet and South $67^{\circ}-52'-20''$ West 93.10 feet; thence for new lines of division the six following courses and distances, namely, by a line curving to the left, with a 15.0 foot radius the distance of 23.37 feet, which arc is subtended by a chord bearing South $23^{\circ}-14'-22''$ West 21.08 feet, by a line curving to the right, with a 4271.06 foot radius the distance of 435.38 feet, which arc is subtended by a chord bearing South $18^{\circ}-28'-23''$ East 435.19 feet, South $15^{\circ}-33'-10''$ East 309.77 feet, by a line curving to the left with a 5722.0 foot radius the distance of 480.20 feet which arc is subtended by a chord bearing South $17^{\circ}-57'-25''$ East 480.06 feet, South $20^{\circ}-21'-40''$ East 101.83 feet and by a line curving to the left with a 192.0 foot radius the distance of 119.61 feet which arc is subtended by a chord bearing South $38^{\circ}-12'-28''$ East 117.68 feet to intersect the division line between the property of Tito Giacchi and wife and the State of Maryland; thence binding on said division line North $58^{\circ}-00'-45''$ East 336.39 feet; thence South $55^{\circ}-41'-46''$ East, crossing the property of the State of Maryland and the Baltimore Harbor Tunnel Thruway, in all, 629.20 feet, to intersect the northwest side of Bowleys Lane, as relocated, thence binding on the northwest, west and southwest sides of said Bowleys Lane the four following courses and distances, namely, South $23^{\circ}-09'-37''$ West 184.71 feet, by a line curving to the left, with a 168.24 foot radius the distance of 112.37 feet, which arc is subtended by a chord bearing South $04^{\circ}-01'-34''$ West 110.29 feet, by a line curving to the left, with a 263.73 foot radius the distance of 191.55 feet, which arc is subtended by a chord bearing South $35^{\circ}-54'-56''$ East 187.37 feet and North $30^{\circ}-15'-00''$ East 13.01 feet to intersect the northeast outline of said Baltimore Harbor Tunnel Thruway Approach Ramp, connecting with Pulaski Highway and the southwest side of Bowleys Lane, 30 feet

wide; thence binding on the northeast outline of said Approach Ramp and on the southwest side of said last mentioned Bowleys Lane and on the southwest side of Bowleys Lane, 40 feet wide, the two following courses and distances, namely, South $56^{\circ}-38'-40''$ East 838.66 feet and South $64^{\circ}-52'-40''$ East 1082.00 feet to intersect the Right-of-way line of said Baltimore Harbor Tunnel Thruway Approach Ramp, there situate; thence binding on the Right-of-way line of said Approach Ramp the two following courses and distances, namely, North $69^{\circ}-36'-40''$ East 76.15 feet and North $52^{\circ}-10'-45''$ East 355.62 feet to the northwest corner of Moravia Road, 100 feet wide, and Pulaski Highway, 152 feet wide; thence crossing said Pulaski Highway diagonally South $50^{\circ}-36'-40''$ East 154.07 feet to intersect the southeast side of said Pulaski Highway and the Right-of-way line of the North Approach of the Baltimore Harbor Tunnel Thruway; thence binding on the Right-of-way line of the North Approach of said Thruway, the three following courses and distances, namely, South $36^{\circ}-09'-54''$ East 358.64 feet, South $10^{\circ}-44'-50''$ West 187.90 feet and South $41^{\circ}-07'-38''$ West 183.90 feet; thence for new lines of division the three following courses and distances, namely, South $41^{\circ}-05'-30''$ West 428.13 feet, by a line curving to the right, with a 320.0 foot radius the distance of 511.54 feet, which arc is subtended by a chord bearing North $89^{\circ}-31'-54''$ West 485.76 feet and North $40^{\circ}-09'-17''$ West 85.41 feet to intersect the division line between the property of Pulaski Development Company and the Baltimore Brick Company; thence binding on said division line South $49^{\circ}-50'-43''$ West 143.34 feet to intersect the division line between the properties of said Pulaski Development Company and of the Mayor and City Council of Baltimore, there situate; thence binding on said last mentioned division line North $45^{\circ}-08'-32''$ West 150.0 feet to intersect the southeast side of said Pulaski Highway; thence crossing said Pulaski Highway diagonally, North $31^{\circ}-34'-21''$ East 494.67 feet to intersect the northeast corner of said Pulaski Highway and Lakedale Avenue,

30 feet wide, and the southwest outline of said Baltimore Harbor Tunnel Thruway Approach Ramp; thence binding on the northeast side of said Lakedale Avenue and the southwest outline of said Approach Ramp the six following courses and distances, namely, North $41^{\circ}-11'-47''$ West 160.73 feet, North $64^{\circ}-52'-40''$ West 798.70 feet, North $44^{\circ}-03'-40''$ West 80.06 feet, North $61^{\circ}-45'-40''$ West 179.60 feet, North $76^{\circ}-56'-50''$ West 125.62 feet and North $62^{\circ}-49'-00''$ West 222.58 feet; thence binding on the northwest end of said Lakedale Avenue South $31^{\circ}-10'-10''$ West 30.07 feet to intersect the division line between the properties of The New Marsh Wholesale Produce Market Authority and the Mayor and City Council of Baltimore; thence binding on said division line by a line curving to the right, with a 320.00 foot radius the distance of 646.04 feet, which arc is subtended by a chord bearing South $78^{\circ}-00'-16''$ West 541.78 feet to intersect the southeast side of said Baltimore Harbor Tunnel Thruway; thence crossing said Thruway North $65^{\circ}-58'-50''$ West 300.00 feet to intersect the northwest side of said Thruway; thence binding on the northwest side of said Thruway North $24^{\circ}-01'-10''$ East 18.10 feet; thence for new lines of division the three following courses and distances, namely, North $65^{\circ}-58'-50''$ West 155.00 feet, by a line curving to the right with a 320.0 foot radius the distance of 611.21 feet, which arc is subtended by a chord bearing North $11^{\circ}-15'-44''$ West 522.45 feet and North $43^{\circ}-27'-23''$ East 156.67 feet to intersect the division line between the properties of the Mayor and City Council of Baltimore and the State of Maryland, there situate; thence binding on said division line North $30^{\circ}-41'-40''$ West 258.43 feet to intersect the division line between the properties of the Mayor and City Council of Baltimore and Tito Giacchi and wife produced southerly; thence reversing said division line so produced and binding thereon, in all, North $05^{\circ}-45'-50''$ West 210.62 feet; thence for new line of division North $15^{\circ}-33'-10''$ West 204.69 feet to intersect the division line between the properties of the Mayor and City Council of Baltimore and Tito

Giacchi and wife; thence binding on said division line the two following courses and distances, namely, North $63^{\circ}-16'-50''$ West 18.82 feet and North $76^{\circ}-29'-30''$ East 13.94 feet to intersect a line drawn parallel with and distant 100.0 feet southwesterly, measured at right angles from the twenty-first line of this description, produced southeasterly; thence reversing said line so drawn and binding thereon North $15^{\circ}-33'-10''$ West 748.68 feet; thence for new lines of division the four following courses and distances, namely, by a line curving to the left with a 3940.02 foot radius the distance of 355.03 feet, which arc is subtended by a chord bearing North $18^{\circ}-08'-03''$ West 354.91 feet, by a line curving to the left with a 15.0 foot radius the distance of 23.93 feet, which arc is subtended by a chord bearing North $66^{\circ}-25'-18''$ West 21.47 feet, South $67^{\circ}-52'-20''$ West 322.95 feet and by a line curving to the right, with a 402.69 foot radius the distance of 217.38 feet, which arc is subtended by a chord bearing South $83^{\circ}-20'-14''$ West 214.75 feet to intersect the northeast side of Bowleys Lane, as authorized, 50 feet wide, under Ordinance No. 907, approved June 30, 1961; thence binding on the northeast side of said Bowleys Lane the two following courses and distances, namely, North $52^{\circ}-23'-10''$ West 206.90 feet and North $47^{\circ}-38'-00''$ West 16.45 feet; thence for new lines of division by a line curving to the left, with a 300.0 foot radius the distance of 337.69 feet, which arc is subtended by a chord bearing South $79^{\circ}-52'-50''$ East 320.14 feet to intersect a line drawn parallel with and distant 80.0 feet northwesterly, measured at right angles from the sixty-sixth line of this description; thence reversing said line so drawn and binding thereon North $67^{\circ}-52'-20''$ East 371.67 feet; thence for new lines of division the two following courses and distances, namely, by a line curving to the left with a 15.0 foot radius the distance of 23.61 feet, which arc is subtended by a chord bearing North $22^{\circ}-46'-32''$ East 21.25 feet and by a line curving to the left with a 3940.02 foot radius the distance of 673.39 feet, which arc is subtended by a chord bearing North

27°-13'-04'' West 672.57 feet to intersect a line drawn parallel with and distant 90.0 feet southwesterly, measured at right angles from the eleventh line of this description; thence reversing said line so drawn and binding thereon North 32°-06'-50'' West 225.86 feet; thence for new line of division the three following courses and distances, namely, by a line curving to the left, with a 23.0 foot radius the distance of 38.11 feet, which arc is subtended by a chord bearing North 79°-35'-15'' West 33.90 feet to intersect the southeast side of said Truesdale Avenue, North 27°-37'-35'' West, crossing said Truesdale Avenue diagonally, 50.69 feet and by a line curving to the left, with a 23.0 foot radius the distance of 34.14 feet, which arc is subtended by a chord bearing North 10°-24'-45'' East 31.09 feet to intersect a line drawn parallel with and distant 90.0 feet southwesterly, measured at right angles from the seventh line of this description; thence reversing said line so drawn and binding thereon North 32°-06'-50'' West 475.74 feet; thence for new lines of division the three following courses and distances, namely, by a line curving to the left with a 23.0 foot radius the distance of 36.13 feet, which arc is subtended by a chord bearing North 77°-06'-50'' West 32.53 feet to intersect the southeast side of Claybury Avenue, 50 feet wide; North 32°-06'-50'' West, crossing said Claybury Avenue, 50.00 feet to intersect the northwest side of said Claybury Avenue and by a line curving to the left, with a 23.0 foot radius the distance of 36.13 feet, which arc is subtended by a chord bearing North 12°-53'-10'' East 32.53 feet to intersect a line drawn parallel with and distant 90.0 feet southwesterly, measured at right angles from the seventh line of this description; thence reversing said line so drawn and binding thereon and on a line drawn parallel with and distant 90.0 feet southwesterly measured radially from the sixth line of this description, the two following courses and distances, namely, North 32°-06'-50'' West 79.00 feet and by a line curving to the right with a 1638.62 foot radius the distance of 339.76 feet, which arc

is subtended by a chord bearing North $26^{\circ}-10'-26''$ West 339.15 feet; thence for new lines of division the three following courses and distances, namely, by a line curving to the left, with a 23.0 foot radius the distance of 35.64 feet, which arc is subtended by a chord bearing North $64^{\circ}-37'-38''$ West 32.18 feet to intersect the southeast side of Aberdeen Avenue, 50 feet wide, North $18^{\circ}-10'-20''$ West, crossing said Aberdeen Avenue 50.01 feet and by a line curving to the left, with a 23.0 foot radius the distance of 35.29 feet which arc is subtended by a chord bearing North $27^{\circ}-01'-42''$ East 31.93 feet, to intersect a line drawn parallel with and distant 102.0 feet westerly measured radially from the third line of this description; thence reversing said line so drawn and binding thereon and on a line drawn parallel with and distant 102.0 feet measured at right angles from the second line of this description, the two following courses and distances, namely, by a line curving to the right with a 1638.62 foot radius the distance of 204.50 feet, which arc is subtended by a chord bearing North $13^{\circ}-20'-51''$ West 204.37 feet and North $09^{\circ}-46'-20''$ West 23.51 feet; thence for new line of division by a line curving to the left with a 20.34 foot radius the distance of 34.58 feet, which arc is subtended by a chord bearing North $58^{\circ}-28'-17''$ West 30.57 feet to intersect the south side of said Sinclair Lane and thence binding on the south side of said Sinclair Lane by a line curving to the right with a 1146.0 foot radius the distance of 145.33 feet, which arc is subtended by a chord bearing North $76^{\circ}-27'-45''$ East 145.23 feet to the place of beginning.

The courses in the above description are all referred to the true meridian as adopted by the Baltimore Survey Control System.

Including all property, rights, interests, slope easements, said slope easements being more particularly herein below described, other easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said (a) Moravia Road and (b) said interconnecting 80 foot Road,

the location and course of said (a) Moravia Road and (b) said interconnecting 80 foot Road being shown on a plat thereof numbered 210-A-8H.1, and the extinguishable slope easements being shown on a plat thereof numbered 210-A-8H.2, prepared by the Bureau of Surveys and filed in the Office of the Director of Public Works on the Seventeenth (17th) day of December, 1962, revised February 21, 1963, and April 1, 1963.

The extinguishable slope easements to be acquired by purchase or condemnation, under authority granted by this Ordinance, for said Moravia Road Project are more particularly described as follows:

Beginning for the first at a point on the first line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 58 feet northeasterly from the surveyed and established center line of proposed pavements of said Moravia Road Project at station 53 + 84 and running thence southeasterly the sixteen following lines lying northeast of said center line and passing through points which are distant 60 feet from station 54 + 00, 72 feet from station 54 + 73.20, 74 feet from station 55 + 34.63, 70 feet from station 56 + 22.89, 60 feet from station 57 + 22.58, 53 feet from station 57 + 88.90, 55 feet from station 58 + 72.27, 56 feet from station 59 + 40.02, 56 feet from station 59 + 82.05, 57 feet from station 60 + 21.55, 60 feet from station 60 + 52.43, 64 feet from station 61 + 21.55, 56 feet from station 62 + 21.55, 51 feet from station 63 + 21.55, 50 feet from station 64 + 21.55 and 45 feet from station 65 + 21.55 on said center line respectively to intersect the seventh line of said parcel of land, thence reversely along part of said seventh, the sixth through second, and part of said first lines, northwesterly to the place of beginning.

Beginning for the second at a point on the seventh line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 45 feet northeasterly from the surveyed and established center line of proposed pavements of said

Moravia Road Project at station 65 + 21.55 and running thence southeasterly the three following lines lying northeast of said center line and passing through points which are distant 46.5 feet from station 66 + 21.55, 46 feet from station 66 + 71.55 and 45 feet from station 66 + 90 on said center line respectively to the end of said seventh line, thence reversely along part of said seventh line northwesterly to the place of beginning.

Beginning for the third at a point on the tenth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 46 feet northeasterly from the surveyed and established center line of proposed pavements of said Moravia Road Project at station 67 + 80 and running thence southeasterly the three following lines lying northeast of said center line and passing through points which are distant 47 feet from station 68 + 00, 46.5 feet from station 68 + 50 and 45 feet from station 68 + 97 on said center line respectively to intersect the eleventh line of said parcel of land at a point on the northeast side of a 20 foot alley, thence reversely along part of said eleventh line and part of said tenth line northwesterly to the place of beginning.

Beginning for the fourth at a point formed by the intersection of the southeast side of a 20 foot alley and the eleventh line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 45 feet northeasterly from the surveyed and established base line of said Moravia Road Project at station 69 + 17 and running thence northeasterly along the southeast side of said alley to a point distant 47 feet northeasterly from said center line at station 69 + 17 thence the seventeen following lines lying northeast of said base line and passing through points which are distant 50.5 feet from station 69 + 50, 52 feet from station 70 + 00, 54 feet from station 70 + 50, 56 feet from station 71 + 00, 58 feet from station 71 + 50, 62 feet from station 72 + 00, 63 feet from station 72 + 50, 65

feet from station 73 + 00, 64 feet from station 73 + 50, 63 feet from station 74 + 00, 60 feet from station 74 + 50, 57 feet from station 75 + 00, 58 feet from station 75 + 50, 59 feet from station 76 + 00, 53 feet from station 76 + 50, 48 feet from station 77 + 00, and 46 feet from station 77 + 13 on said base line respectively to intersect the thirteenth line of said parcel of land, thence reversely along part of said thirteenth, the twelfth and part of said eleventh lines, northwesterly to the place of beginning.

Beginning for the fifth at a point on the thirteenth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 46 feet northeasterly from the surveyed and established base line of said Moravia Road Project at station 77 + 13, said point being also distant 48 feet northwesterly from station 9 + 54 of the surveyed center line of proposed Bowleys Lane, 80 feet wide, connecting the existing Bowleys Lane at a point near Lorelly Avenue with the existing Moravia Road at a point near Amberwood Road, thence the seven following lines lying northwest and north of said last mentioned center line and passing through points which are distant 48 feet from station 10 + 00, 58 feet from station 10 + 50, 70 feet from station 11 + 00, 74 feet from station 11 + 50, 53 feet from station 12 + 00, 43 feet from station 12 + 50, and 41 feet from station 12 + 73 on said last mentioned center line respectively to intersect the northwest side of said Amberwood Road, 50 feet wide, thence southwesterly to intersect the fifteenth line of said parcel of land at a point distant 40 feet northeasterly from station 12 + 72 on said last mentioned center line, thence reversely along part of said fifteenth, the fourteenth and part of said thirteenth lines westerly and southwesterly to the place of beginning.

Beginning for the sixth at a point on the seventeenth line of the parcel of land herein before described to be acquired for said Moravia Road Project

distant 40 feet southerly from the surveyed center line of proposed Bowleys Lane, 80 feet wide, connecting the existing Bowleys Lane at a point near Lorelly Avenue with the existing Moravia Road at a point near Amberwood Road at station 12 + 50 and running thence westerly and southwesterly the six following lines lying south and southeast of said center line and passing through points which are distant 43 feet from station 12 + 00, 76 feet from station 11 + 50, 75 feet from station 11 + 00, 65 feet from station 10 + 50, 58 feet from station 10 + 00 and 52 feet from station 9 + 51 on said center line respectively to intersect the nineteenth line of said parcel of land at a point distant 46 feet northeasterly from the surveyed and established base line of said Moravia Road Project at station 78 + 10, thence reversely along part of said nineteenth, the eighteenth and part of said seventeenth lines northeasterly and easterly to the place of beginning.

Beginning for the seventh at a point at the beginning of the twentieth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 45 feet northeasterly from the surveyed and established base line of said Moravia Road Project at station 78 + 15 and running thence southeasterly the three following lines lying northeast of said base line and passing through points which are distant 50 feet from station 78 + 50, 50 feet from station 79 + 00, and 45 feet from station 79 + 25 on said base line respectively to intersect said twentieth line, thence reversely along part of said twentieth line northwesterly to the place of beginning.

Beginning for the eighth at a point on the twentieth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 45 feet northeasterly from the surveyed and established base line of said Moravia Road Project at station 79 + 25 and running thence southeasterly the five following lines lying northeast of said base

line and passing through points which are distant 56 feet from station 79 + 50, 59 feet from station 80 + 00, 60 feet from station 80 + 50, 59 feet from station 81 + 00, and 45 feet from station 81 + 25 on said base line respectively to intersect said twentieth line, thence reversely along part of said twentieth line northwesterly to the place of beginning.

Beginning for the ninth at a point on the twentieth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 45 feet northeasterly from the surveyed and established base line of said Moravia Road Project at station 81 + 25 and running thence southeasterly the eight following lines lying northeast of said base line and passing through points which are distant 59 feet from station 81 + 50, 60 feet from station 82 + 00, 60 feet from station 82 + 50, 59 feet from station 83 + 00, 54 feet from station 83 + 50, 47 feet from station 84 + 00, 50 feet from station 84 + 50 and 45 feet from station 85 + 00 on said base line respectively to intersect the twenty-first line of said parcel of land, thence reversely along part of said twenty-first and part of said twentieth lines northwesterly to the place of beginning.

Beginning for the tenth at a point on the twenty-first line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 45 feet northeasterly from the surveyed and established base line of said Moravia Road Project at station 85 + 00 and running thence southeasterly the fifteen following lines lying northeast of said base line and passing through points which are distant 49 feet from station 85 + 50, 60 feet from station 86 + 00, 60 feet from station 86 + 50, 64 feet from station 87 + 00, 57 feet from station 87 + 50, 59 feet from station 88 + 00, 67 feet from station 88 + 50, 66 feet from station 89 + 00, 67 feet from station 89 + 50, 76 feet from station 90 + 00, 79 feet from station 90 + 50, 84 feet from station 91 + 00, 89 feet from station 91 + 50, 101 feet from station 92 + 00, and 125 feet

from station 92 + 58 on said base line respectively to intersect the twenty-fifth line of said parcel of land, thence reversely along part of said twenty-fifth, the twenty-fourth through twenty-second and part of said twenty-first lines southwesterly and northwesterly to the place of beginning.

Beginning for the eleventh at a point at the beginning of the fifty-ninth line of the parcel of land herein before described to be acquired for said Moravia Road Project and running thence northwesterly the eleven following lines lying southwest of the surveyed and established base line of said Moravia Road Project and passing through points, which are distant 98 feet from station 92 + 50, 90 feet from station 92 + 00, 80 feet from station 91 + 50, 76 feet from station 91 + 00, 74 feet from station 90 + 50, 74 feet from station 90 + 00, 79 feet from station 89 + 50, 65 feet from station 89 + 00, 62 feet from station 88 + 50, 58 feet from station 88 + 00, and 55 feet from station 87 + 50 on said base line respectively to intersect the sixty-third line of said parcel of land, thence reversely along part of said sixty-third, the sixty-second through fifty-ninth lines southeasterly to the place of beginning.

Beginning for the twelfth at a point on the sixty-third line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 55 feet southwesterly from the surveyed and established base line of said Moravia Road Project at station 87 + 50 and running thence northwesterly the nineteen following lines lying southwest of said base line and passing through points which are distant 58 feet from station 87 + 00, 59 feet from station 86 + 50, 57 feet from station 86 + 00, 68 feet from station 85 + 50, 76 feet from station 85 + 00, 75 feet from station 84 + 50, 78 feet from station 84 + 00, 80 feet from station 83 + 50, 83 feet from station 83 + 00, 81 feet from station 82 + 50, 73 feet from station 82 + 00, 81 feet from station 81 + 50, 78 feet

from station 81 + 00, 73 feet from station 80 + 50, 69 feet from station 80 + 00, 69 feet from station 79 + 50, 81 feet from station 79 + 00, 71 feet from station 78 + 50, and 70 feet from station 78 + 15 on said base line respectively, said last mentioned point being also distant 54 feet southeasterly from station 8 + 37 of the surveyed center line of proposed Bowleys Lane, 80 feet wide, connecting the existing Bowleys Lane at a point near Lorelly Avenue with the existing Moravia Road at a point near Amberwood Road, thence southwesterly the six following lines lying southeast of said last mentioned center line and passing through points which are distant 65 feet from station 8 + 00, 70 feet from station 7 + 50, 42 feet from station 7 + 00, 51 feet from station 6 + 50, 82 feet from station 6 + 00 and 40 feet from station 5 + 75 on said last mentioned center line respectively to intersect the sixty-sixth line of said parcel of land, thence reversely along part of said sixty-sixth, the sixty-fifth, the sixty-fourth and part of said sixty-third lines northeasterly and southeasterly to the place of beginning.

Beginning for the thirteenth at a point on the sixty-sixth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 40 feet southeasterly from the surveyed center line of proposed Bowleys Lane, varying in width from 50 feet to 80 feet and connecting the existing Bowleys Lane, as proposed to be widened to 50 feet, near Lorelly Avenue with the existing Moravia Road, 80 feet wide, near Amberwood Road at station 5 + 75 and running thence southwesterly and westerly the six following lines lying southeast and south of said center line and passing through points which are distant 43 feet from station 5 + 50, 48 feet from station 5 + 00, 47 feet from station 4 + 50, 46 feet from station 4 + 00, 41 feet from station 3 + 50 and 41 feet from station 3 + 24 on said center line respectively thence southerly to intersect the northeast side of Bowleys Lane, 30 feet wide, at a point distant 49

feet southerly from station 3 + 24 on said center line, thence northwesterly along the northeast side of said last mentioned Bowleys Lane to intersect the sixty-seventh line of said parcel of land produced westerly, thence reversely along said line so produced and along part of said sixty-sixth line easterly and northeasterly to the place of beginning.

Beginning for the fourteenth at a point formed by the intersection of the northeast side of Bowleys Lane, as proposed to be widened to 50 feet and the southeast side of Lorelly Avenue and running thence northeasterly along the southeast side of said Lorelly Avenue to a point distant 30 feet northeasterly from the surveyed center line of proposed Bowleys Lane, varying in width from 50 feet to 80 feet and connecting the existing Bowleys Lane, as proposed to be widened to 50 feet, near Lorelly Avenue with the existing Moravia Road, 80 feet wide, near Amberwood Road at station 0 + 70, thence southeasterly the nine following lines lying northeast of said center line and passing through points which are distant 31 feet from station 0 + 00, 33 feet from station 0 + 50, 40 feet from station 1 + 00, 49 feet from station 1 + 50, 52 feet from station 2 + 00, 52 feet from station 2 + 50, 46 feet from station 3 + 00, 45 feet from station 3 + 50, and 33 feet from station 3 + 75 on said center line respectively to intersect the seventieth line of the parcel of land herein before described to be acquired for said Moravia Road Project, thence reversely along part of said seventieth line, the sixty-ninth line and the northeast side of said Bowleys Lane, as proposed to be widened to 50 feet, northwesterly to the place of beginning.

Beginning for the fifteenth at a point on the seventieth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 33 feet northerly from the surveyed center line of proposed Bowleys Lane, varying in width from 50 feet to 80 feet and connecting the existing Bowleys Lane, as proposed to be widened

to 50 feet, near Lorelly Avenue with the existing Moravia Road, 80 feet wide, near Amberwood Road at station 3 + 75 and running thence north-easterly the four following lines lying northwest of said center line and passing through points which are distant 40 feet from station 4 + 00, 44 feet from station 4 + 50, 44 feet from station 5 + 00 and 40 feet from station 5 + 25 on said center line respectively to intersect the seventy-first line of said parcel of land, thence reversely along part of said seventy-first and part of said seventieth lines southwesterly to the place of beginning.

Beginning for the sixteenth at a point on the seventy-first line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 40 feet northwesterly from the surveyed center line of proposed Bowleys Lane, 80 feet wide, connecting the existing Bowleys Lane at a point near Lorelly Avenue, with the existing Moravia Road at a point near Amberwood Road at station 5 + 25 and running thence northeasterly the three following lines lying northwest of said center line and passing through points which are distant 90 feet from station 5 + 50, 73 feet from station 6 + 00 and 40 feet from station 6 + 25 on said center line respectively to intersect the said seventy-first line, thence reversely along part of said seventy-first line southwesterly to the place of beginning.

Beginning for the seventeenth at a point on the seventy-first line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 40 feet northwesterly from the surveyed center line of proposed Bowleys Lane, 80 feet wide, connecting the existing Bowleys Lane at a point near Lorelly Avenue, with the existing Moravia Road at a point near Amberwood Road at station 6 + 25 and running thence northeasterly the three following lines lying northwest of said center line and passing through points which are distant 44 feet from station 6 + 50, 48 feet from

station 7 + 00 and 40 feet from station 7 + 25 on said center line respectively to intersect the said seventy-first line, thence reversely along part of said seventy-first line southwesterly to the place of beginning.

Beginning for the eighteenth at a point on the seventy-first line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 40 feet northwesterly from the surveyed center line of proposed Bowleys Lane, 80 feet wide, connecting the existing Bowleys Lane at a point near Lorelly Avenue, with the existing Moravia Road at a point near Amberwood Road at station 7 + 25 and running thence northeasterly the three following lines lying northwest of said center line and passing through points which are distant 85 feet from station 7 + 50, 77 feet from station 8 + 00 and 70 feet from station 8 + 31 on said center line respectively, said last mentioned point being also distant 75 feet southwesterly from station 76 + 89 of the surveyed and established base line of said Moravia Road Project, thence northwesterly the sixteen following lines lying southwest of said last mentioned center line and passing through points which are distant 78 feet from station 76 + 50, 78 feet from station 76 + 00, 75 feet from station 75 + 50, 72 feet from station 75 + 00, 69 feet from station 74 + 50, 90 feet from station 74 + 00, 86 feet from station 73 + 50, 81 feet from station 73 + 00, 77 feet from station 72 + 50, 71 feet from station 72 + 00, 68 feet from station 71 + 50, 63 feet from station 71 + 00, 56 feet from station 70 + 50, 50 feet from station 70 + 00, 46.5 feet from station 69 + 50 and 46 feet from station 69 + 24 on said last mentioned base line respectively to intersect the southeast side of a 20 foot alley, thence northeasterly along the southeast side of said 20 foot alley to intersect the seventy-fourth line of said parcel of land, thence reversely along part of said seventy-fourth, the seventy-third the seventy-second and part of said seventy-first lines southeasterly and southwesterly to the place of beginning.

Beginning for the nineteenth at a point formed by the intersection of the northwest side of a 20 foot alley and the seventy-fourth line of the parcel of land herein before described to be acquired for said Moravia Road Project distant 45 feet southwesterly from the surveyed and established center line of proposed pavements of said Moravia Road Project at station 69 + 00 and running thence northwesterly the three following lines lying southwest of said center line and passing through points which are distant 46 feet from station 68 + 50, 48 feet from station 68 + 00 and 49 feet from station 67 + 87 on said center line respectively to intersect the seventy-fifth line of said parcel of land, thence reversely along part of said seventy-fifth and part of said seventy-fourth lines southeasterly to the place of beginning.

Any mention or reference to any streets, roads, avenues, highways or alleys in this Ordinance or on the plat referred to herein are for the purpose of description only, and shall not be held or taken to be any evidence whatever that said streets, roads, avenues, highways, alleys or any of them, are public, dedicated or private thoroughfares.

SEC. 2. *And be it further ordained,* That the Director of Public Works and the Comptroller, or the person or persons the Board of Estimates of Baltimore City may hereafter from time to time designate, is or are hereby authorized to acquire on behalf of the Mayor and City Council of Baltimore, and for the purposes described in this Ordinance, the fee simple interests or such other interests as the said Director may deem necessary or sufficient, in and to said pieces or parcels of land and improvements thereupon, including all property, rights, interests, easements and/or franchises necessary in the opening, widening, grading, construction and maintenance of said (a) Moravia Road and (b) said interconnection 80 foot Road. If the said Director and Comptroller, or person or persons are unable to agree with the owner or owners on the purchase

price of any of the said pieces or parcels of land any improvements thereupon or for any of the said properties, rights, interests, easements and/or franchises, they shall forthwith notify the City Solicitor of Baltimore City who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interests or such other rights, interests, easements and/or franchises as the said Director may deem necessary or sufficient for the purposes of said (a) Moravia Road and (b) said interconnection 80 foot Road Project.

SEC. 3. *And be it further ordained*, That the proceedings for the acquisition by condemnation of the property and rights herein described and the rights of all parties interested or affected thereby shall be regulated by and be in accordance with the provisions of Article 33A of the Code of the Public General Laws of the State of Maryland, and any and all amendments thereto.

SEC. 4. *And be it further ordained*, That the said Director of Public Works and Comptroller or person or persons of Baltimore City are also hereby authorized to negotiate for and to enter into in the name of the Mayor and City Council of Baltimore, any and all necessary agreements with the Federal and State Governments, or any of their agencies, and any other persons, firms or corporations, in aid of, in furtherance of, or in connection with said (a) Moravia Road and (b) said interconnection 80 foot Road Project; all such acquisitions and agreements to be subject to the approval of the Board of Estimates.

SEC. 5. *And be it further ordained*, That after the necessary agreements have been made and the necessary properties, land, rights, easements and/or franchises have been acquired as hereinbefore provided, the Director of Public Works of Baltimore City is hereby authorized and directed to construct or cause to be constructed, the said (a) Moravia

Road and (b) said interconnection 80 foot Road project, all in accordance with detailed plans hereafter to be prepared therefor and after said plans have been approved by the said Director of Public Works.

SEC. 6. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1706

(Council No. 2373)

An ordinance authorizing the acquisition by purchase or by condemnation by the Mayor and City Council of Baltimore for Public School purposes of the fee simple interest, in and to all those pieces or parcels of land with the improvements thereon situate in Baltimore City, within the perimeter, beginning at the intersection of the east side of Schroeder Street and the north side of Hollins Street, extending northerly on Schroeder Street to Booth Street, easterly on Booth Street 46 feet to Elementary School No. 10, southerly parallel with Schroeder Street 137 feet to Hollins Street, easterly on Hollins Street to the west side of Amity Street, northerly on Amity Street to Booth Street, easterly on Booth Street to the west side of 916 Hollins Street, if extended, northerly to Booth Street, thence southerly on the last mentioned line a distance of 51 feet to the point of intersecting the rear lot line of the premises known as 911 Booth Street; thence easterly a distance of 15 feet to the point of intersecting the line on the west side of 914 Hollins Street, if extended, northerly to Booth Street; thence southerly on the last mentioned line to, across

and to the south side of Hollins Street at a point in the division line between 915 and 917 Hollins Street, easterly on Hollins Street to the west side of 907 Hollins Street, southerly along 907 Hollins Street and the west side of a 3-foot alley immediately west of Poppleton Street and across Boyd Street to the south side of Boyd Street at its intersection with the east outline of 903 Boyd Street, still southerly along the east side of 903 Boyd Street to the north side of an alley immediately north of Lombard Street, and westerly along said last mentioned alley to Schroeder Street, and thence northerly along Schroeder Street to the point of beginning.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore,* That it is necessary to acquire by purchase or by condemnation for public school purposes the fee simple interest in and to all those pieces or parcels of land, with the improvements thereon, situate in Baltimore City, Maryland, described as follows:

Beginning for the same at the point formed by the intersection of the north side of Hollins Street, 66 feet wide, and the east side of Schroeder Street, 66 feet wide, and running thence northerly, binding on the east side of said Schroeder Street 136.0 feet to intersect the south side of Booth Street, 20 feet wide; thence easterly, binding on the south side of said Booth Street, 46.0 feet to intersect the westernmost outline of Elementary School No. 10; thence southerly binding on the westernmost outline of said School No. 10, 136.0 feet to intersect the north side of said Hollins Street; thence easterly, binding on the north side of said Hollins Street, 143.67 feet to intersect the west side of Amity Street, 20 feet wide; thence northerly, binding on the west side of said Amity Street, 136.0 feet to intersect the south side of said Booth Street; thence easterly, crossing said Amity Street and continuing the same course binding on the south side of said Booth Street, in all, 93.0 feet to intersect the division line between No.

916 and 918 Hollins Street produced northerly; thence southerly, reversing said division line so produced a distance of 51 feet, to intersect the rear lot line of the premises known generally as 911 Booth Street; thence easterly along said lot line to the point of intersecting the division line between No. 914 and 916 Hollins Street, produced northerly; thence southerly, reversing said division line so produced to intersect the north side of said Hollins Street; thence southerly, crossing said Hollins Street, 66.0 feet, more or less, to a point formed by the intersection of the south side of said Hollins Street and the division line between No. 915 and No. 917 Hollins Street; thence easterly, binding on the south side of said Hollins Street, 57.0 feet to intersect the division line between No. 907 and No. 909 Hollins Street; thence southerly, binding on said last mentioned division line and continuing the same, in all, 131.92 feet to intersect the north side of Boyd Street, 30 feet wide; thence southwesterly, crossing said Boyd Street diagonally, 33.0 feet, more or less, to a point formed by the intersection of the south side of said Boyd Street and the west side of an alley 2.5 feet wide, laid out parallel with and distant 73.17 feet west of the west side of Poppleton Street; thence southerly, binding on the west side of said 2.5 foot alley and along the east outline of No. 903 Boyd Street, 57.0 feet to intersect the north side of an alley 3.92 feet wide, laid out parallel with and distant 57.0 feet southerly from the south side of said Boyd Street; thence westerly, binding on the north side of said 3.92 foot alley and continuing the same, crossing said Amity Street and binding on the north side of an alley 4 feet wide, in all, 325.23 feet to intersect the east side of said Schroeder Street and thence northerly, binding on the east side of said Schroeder Street, crossing said Boyd Street and Hollins Street, in all, 284.92 feet to the place of beginning.

SEC. 2. *Be it further ordained,* That the Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such

manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter may hereafter from time to time designate, is or are authorized to acquire on behalf of the Mayor and City Council of Baltimore and for the purposes described in this ordinance the fee simple interest in and to the said pieces or parcels of land, with the improvements thereupon. If the said Real Estate Acquisition Division of the Department of the Comptroller or the person or persons and in such manner as the Board of Estimates, in the exercise of the power vested in it by Section 39 of the Baltimore City Charter, may hereafter from time to time designate, is or are unable to agree with the owner or owners on the purchase price for said pieces or parcels of land and the improvements thereon, it or they shall forthwith notify the City Solicitor of Baltimore City, who shall thereupon institute in the name of the Mayor and City Council of Baltimore the necessary legal proceedings to acquire by condemnation the fee simple interest in and to said pieces or parcels of land herein described.

SEC. 3. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1707

(Council No. 2551)

An ordinance to condemn and open (1) Frankford Avenue, 33 feet wide old location, from Frankford Avenue, 60 feet wide as relocated, southeasterly to Moravia Road, 100 feet wide and (2) Frankford Avenue, 30 feet wide old location from Moravia Road, 100 feet wide, southwesterly to Frankford Avenue, 60 feet wide as relocated, all in accord-

ance with a plat thereof numbered 291-A-14, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the First (1st) day of April, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open (1) Frankford Avenue, 33 feet wide old location, from Frankford Avenue, 60 feet wide as relocated, southeasterly to Moravia Road, 100 feet wide and (2) Frankford Avenue, 30 feet wide old location, from Moravia Road, 100 feet wide, southwesterly to Frankford Avenue, 60 feet wide as relocated in accordance with a plat thereof numbered 291-A-14 prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the First (1st) day of April, 1963, and now on file in said office, the said streets are numbered one and two on said plat and described as follows:

Beginning for parcel No. 1 at the point formed by the intersection of the northeast side of Frankford Avenue, old location 33.0 feet wide, and the east side of Frankford Avenue, 60 feet wide, as authorized under Ordinance No. 756 approved May 5, 1961 by the Mayor and City Council of Baltimore and running thence southeasterly, binding on the northeast side of Frankford Avenue, 33.0 feet wide, 630.0 feet to intersect the northeast side of Moravia Road, as now laid out 100 feet wide; thence binding on the northeast side of said Moravia Road northwesterly by a line curving to the left with a radius of 1800.0 feet the distance of 62.0 feet to intersect the southwest side of Frankford Avenue, 33.0 feet wide; thence northwesterly, binding on said southwest side, 470.0 feet to intersect the east side of Frankford Avenue, 60 feet wide, and thence binding on said east side, northerly by a line curving to the left with

a radius of 660.0 feet the distance of 114.0 feet to the place of beginning.

Beginning for parcel No. 2 at the point formed by the intersection of the southwest side of Moravia Road, as now laid out 100 feet wide, and the southeast side of Frankford Avenue, old location 30.0 feet wide, and running thence southwesterly, binding on the southeast side of said Frankford Avenue, 478.0 feet to intersect the southeast side of Frankford Avenue, 60 feet wide, as authorized under Ordinance No. 907 approved June 30, 1961 by the Mayor and City Council of Baltimore; thence, binding on said southeast side, by a line curving to the left with a radius of 360.0 feet the distance of 85.0 feet to intersect the northwest side of the first mentioned Frankford Avenue; thence northeasterly binding on said northwest side, 392.0 feet to intersect the southwest side of said Moravia Road and thence binding on said southwest side southeasterly by a line curving to the right with a radius of 1700.0 feet the distance of 31.0 feet to the place of beginning.

The said Frankford Avenue as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the First (1st) day of April in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Frankford Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect

which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1708

(Council No. 2552)

An ordinance to condemn and close (1) Frankford Avenue, 33 feet wide old location, from Frankford Avenue, 60 feet wide as relocated, southeasterly to Moravia Road, 100 feet wide and (2) Frankford Avenue, 30 feet wide old location from Moravia Road, 100 feet wide, southwesterly to Frankford Avenue, 60 feet wide as relocated, all in accordance with a plat thereof numbered 291-A-14A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Second (2nd) day of April, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close (1) Frankford Avenue, 33 feet wide old location, from Frankford Avenue, 60 feet wide as relocated, southeasterly to Moravia Road, 100 feet wide and (2) Frankford Avenue, 30 feet wide old location, from Moravia Road, 100 feet wide, southwesterly to Frankford Avenue, 60 feet wide as relocated, in accordance with a plat thereof numbered 291-A-14A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Second (2nd) day of April, 1963, and now on file in said office, the said streets are numbered one and two on said plat and described as follows:

Beginning for parcel No. 1 at the point formed by

the intersection of the northeast side of Frankford Avenue, old location 33.0 feet wide, and the east side of Frankford Avenue, 60 feet wide, as authorized under Ordinance No. 756 approved May 5, 1961 by the Mayor and City Council of Baltimore and running thence southeasterly, binding on the northeast side of Frankford Avenue, 33.0 feet wide, 630.0 feet to intersect the northeast side of Moravia Road, as now laid out 100 feet wide; thence binding on the northeast side of said Moravia Road, northwesterly by a line curving to the left with a radius of 1800.0 feet the distance of 62.0 feet to intersect the southwest side of Frankford Avenue, 33.0 feet wide; thence northwesterly, binding on said southwest side, 470.0 feet to intersect the east side of Frankford Avenue, 60 feet wide, and thence binding on said east side, northerly by a line curving to the left with a radius of 660.0 feet the distance of 114.0 feet to the place of beginning.

Beginning for parcel No. 2 at the point formed by the intersection of the southwest side of Moravia Road, as now laid out 100 feet wide, and the southeast side of Frankford Avenue, old location 30.0 feet wide, and running thence southwestwardly, binding on the southeast side of said Frankford Avenue, 478.0 feet to intersect the southeast side of Frankford Avenue, 60 feet wide, as authorized under Ordinance No. 907 approved June 30, 1961 by the Mayor and City Council of Baltimore; thence, binding on said southeast side, by a line curving to the left with a radius of 360.0 feet the distance of 85.0 feet to intersect the northwest side of the first mentioned Frankford Avenue; thence northeasterly binding on said northwest side, 392.0 feet to intersect the southwest side of said Moravia Road and thence binding on said southwest side southeasterly by a line curving to the right with a radius of 1700.0 feet the distance of 31.0 feet to the place of beginning.

The said Frankford Avenue as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Depart-

ment of Assessments on the Second (2nd) day of April in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That on and after the closing of said highway, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for

the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Frankford Avenue and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1709

(Council No. 2562)

An ordinance to repeal and re-ordain, with amendments, Section 1 of Ordinance 537 approved December 9, 1960, this ordinance having permitted the construction of an illuminated electrical sign on the roof of the premises known generally as 315-319 West Biddle Street, in order to change the dimensions of the sign thereon permitted.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Section 1 of Ordinance

537 approved December 9, 1960, be and it is hereby repealed and re-ordained, with amendments, to read as follows:

In order to comply with the provisions of Paragraph 1400 of Article 5 of the Baltimore City Code, (1950 Edition), as amended, said Article being known generally as the Building Code of Baltimore City, permission is granted for the construction of an illuminated electrical sign on the roof of the premises known generally as No. 315-19 West Biddle Street. This authorization refers to a sign approximately 40 feet long and approximately 15 feet high. Except as otherwise specifically provided in this ordinance, all ordinances and regulations of the Mayor and City Council of Baltimore shall be complied with in the construction and maintenance of said electrical sign.

SEC. 2. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1710

(Council No. 2375)

An ordinance to condemn and open, certain streets lying within the area bounded by McHenry Street, Scott Street, Ramsay Street and Poppleton Street, in accordance with a plat thereof numbered 291-A-12, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Nineteenth (19th) day of December, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of

Assessments be, and they are hereby authorized and directed to condemn and open certain streets lying within the area bounded by McHenry Street, Scott Street, Ramsay Street and Poppleton Street, in accordance with a plat thereof numbered 291-A-12 prepared by the Bureau of Surveys and filed in the Office of the Department of Assessments, on the Nineteenth (19th) day of December 1962, and now on file in said Office; said Streets are numbered from one to three on said plat and described as follows:

1. McHenry Street, 66 feet wide, and running westerly from Scott Street 362.0 feet to Parkin Street and designated as No. 1 on said plat.
2. Hayes Street, 20 feet wide, and running south-erly from McHenry Street 338.29 feet to Ramsay Street and designated as No. 2 on said plat.
3. Ramsay Street, 50 feet wide, and running westerly from Scott Street 666.41 feet to a 3.67 foot Alley, there situate, and designated as No. 3 on said plat.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Nineteenth (19th) day of December in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been

adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1711

(Council No. 2376)

An ordinance to condemn and close Certain Streets lying within the area bounded by McHenry Street, Scott Street, Ramsay Street and Poppleton Street, in accordance with a plat thereof numbered 291-A-12A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Twentieth (20th) day of December, 1962, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close certain streets lying within the area bounded by McHenry Street, Scott Street, Ramsay Street and Poppleton Street, in accordance with a plat thereof numbered 291-A-12A prepared by the Bureau of Surveys and filed in the Office of the Department of Assessments, on the Twentieth (20th) day of December, 1962, and now on file in said Office; said Streets are numbered from one to three on said plat and described as follows:

1. McHenry Street, 66 feet wide, and running westerly from Scott Street 362.0 feet to Parkin Street and designated as No. 1 on said plat.

2. Hayes Street, 20 feet wide, and running southerly from McHenry Street 338.29 feet to Ramsay Street and designated as No. 2 on said plat.

3. Ramsay Street, 50 feet wide, and running westerly from Scott Street 666.41 feet to a 3.67 foot

Alley, there situate, and designated as No. 3 on said plat.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Twentieth (20th) day of December in the year 1962, and is now on file in the said Office.

SEC. 2. *And be it further ordained*, That after said highway shall have been closed under the provisions of this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained*, That no buildings or structures of any kind shall be constructed or erected in said portion of said highway after the same shall have been closed until the subsurface structures and appurtenances over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained*, That on and after the closing of said highway, the said Mayor

and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 5. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1712

(Council No. 2520)

An ordinance to condemn and open Certain Streets lying within the area bounded by Warren Avenue, Riverside Avenue, Grindall Street and William Street, in accordance with a plat thereof numbered 186-A-34, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Thirteenth (13th) day of March, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and open, Certain Streets lying within the area bounded by Warren Avenue, Riverside Avenue, Grindall Street and William Street, in accordance with a plat thereof numbered 186-A-34, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Thirteenth (13th) day of March, 1963, and now on file in said office; the said streets are numbered from parcels one to three on said plat and described as follows:

1. Hamburg Street, 40 feet wide, running south-westerly from Riverside Avenue 484.75 feet to William Street and designated as Parcel No. 1 on said plat.

2. Battery Avenue, 50 feet wide, running south-erly from Warren Avenue, 157.53 feet to Hamburg Street and designated as Parcel No. 2 on said plat.

The said Streets as directed to be condemned being delineated and particularly shown on a plat which was filed in the Office of the Department of Assessments on the Thirteenth (13th) day of March in the year 1963, and is now on file in the said office.

SEC. 2. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and opening of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have

been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1713

(Council No. 2521)

An ordinance to condemn and close Certain Streets lying within the area bounded by Warren Avenue, Riverside Avenue, Grindall Street and William Street, in accordance with a plat thereof numbered 186-A-34A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fourteenth (14th) day of March, 1963, and now on file in said office.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Department of Assessments be, and they are hereby authorized and directed to condemn and close Certain Streets lying within the area bounded by Warren Avenue, Riverside Avenue, Grindall Street and William Street, in accordance with a plat thereof numbered 186-A-34A, prepared by the Bureau of Surveys, and filed in the Office of the Department of Assessments, on the Fourteenth (14th) day of March, 1963, and now on file in said office; the said streets are numbered from parcels one to three on said plat and described as follows:

1. Hamburg Street, 40 feet wide, running southwesterly from Riverside Avenue 484.75 feet to William Street and designated as Parcel No. 1 on said plat.

2. Battery Avenue, 50 feet wide, running southerly from Warren Avenue, 157.53 feet to Hamburg Street and designated as Parcel No. 2 on said plat.

The said Streets as directed to be condemned being delineated and particularly shown on a plat

which was filed in the Office of the Department of Assessments on the Fourteenth (14th) day of March in the year 1963, and is now on file in the said Office.

SEC. 2. *And be it further ordained,* That after said highway or highways shall have been closed under the provisions of this ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, shall be and continue to be the property of the Mayor and City Council of Baltimore, in fee simple, until the use thereof shall be abandoned by the Mayor and City Council of Baltimore, and in the event that any person, firm or corporation shall desire to remove, alter or interfere therewith, such person, firm or corporation shall first obtain permission and permits therefor from the Mayor and City Council of Baltimore, and shall in the application for such permission and permits agree to pay all costs and charges of every kind and nature made necessary by such removal, alteration or interference.

SEC. 3. *And be it further ordained,* That no buildings or structures of any kind shall be constructed or erected in said portion of said highway or highways after the same shall have been closed under the provisions of this ordinance until the subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore, over which said buildings or structures are proposed to be constructed or erected shall have been abandoned or shall have been removed and relaid in accordance with the specifications and under the direction of the Highways Engineer of Baltimore City, and at the expense of the person or persons or body corporate desiring to erect such buildings or structures. Railroad tracks shall be taken to be "structures" within the meaning of this section.

SEC. 4. *And be it further ordained,* That after said highway or highways shall have been closed under the provisions of this ordinance, all subsur-

face structures and appurtenances owned by any person, firm or corporation, other than the Mayor and City Council of Baltimore, shall upon notice from the Highways Engineer of Baltimore City, be promptly removed by and at the expense of the said owners.

SEC. 5. *And be it further ordained*, That on and after the closing of said highway or highways, the said Mayor and City Council of Baltimore, acting through its duly authorized representatives, shall, at all times, have access to said property and to all subsurface structures and appurtenances used by it therein, for the purposes of inspection, maintenance, repair, alteration, relocation and/or replacement, of any or all of said structures and appurtenances, and this without permission from or compensation to the owner or owners of said land.

SEC. 6. *And be it further ordained*, That the proceedings of said Department of Assessments, with reference to the condemnation and closing of said Streets and the proceedings and rights of all parties interested or affected thereby, shall be regulated by, and be in accordance with, any and all applicable provisions of Article 4 of the Code of Public Local Laws of Maryland and the Charter of Baltimore City (1949 Edition) and any and all amendments thereto, and any and all other Acts of the General Assembly of Maryland, and any and all ordinances of the Mayor and City Council of Baltimore, and any and all rules or regulations in effect which have been adopted by the Director of Assessments and filed with the Department of Legislative Reference.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 1714

(Council No. 2566)

An ordinance to repeal and reordain with amendments Ordinance No. 19, approved April 11, 1845, entitled, "An Ordinance to Provide for the Closing of a Part of Tyson Street in the City of Baltimore," by eliminating certain conditions and restrictions therein.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Ordinance No. 19, approved April 11, 1845, entitled "An Ordinance to Provide for the Closing of a Part of Tyson Street in the City of Baltimore," be and it is hereby repealed and reordained with amendments to read as follows:

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That the Commissioners for Opening Streets in the City of Baltimore, be and they are hereby authorized and required to close and shut up all that part of Tyson Street between Monument and Centre Streets.

SEC. 2. *Be it further ordained*, That in all matters connected with the closing of said part of Tyson Street, the said Commissioners shall proceed according to, and be governed by the provisions of the Act of Assembly, passed March 23, 1839, and of the ordinance entitled "An ordinance to provide for exercising certain powers vested in this corporation in relation to streets in the City of Baltimore," approved on the 9th of March, 1841; and all other officers of the City shall in like manner conform thereto, and perform the duties required by the said ordinance in similar cases.

SEC. 3. *Be it further ordained*, That all the assessments of benefits arising from said closing of said portion of said street, over and above the damages, shall be paid by the Commissioners for Opening

Streets into the City treasury; and all damages for said closing of said portion of said street shall be assessed by the Commissioners for Opening Streets, on the owner or owners of the property to whom the bed of the street shall revert.

SEC. 4. *Be it further ordained*, That in no event shall the Mayor and City Council of Baltimore be responsible for any expense, cost or charge relating to or connected with the closing of said part of said street.

SEC. 5. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 4

(Council No. 1886)

City Council Resolution proposing an amendment to Section 76 (j) of the Charter of Baltimore City (1949 Edition), title "Baltimore City", sub-title "Department of Public Works", amending the charter of Baltimore City with respect to the annual compensation to be paid to the City Surveyor and providing for the submission of this amendment to the qualified voters of the City of Baltimore for adoption or rejection.

Be it Resolved by the Mayor and City Council of Baltimore, That the following amendment to Section 76 (j) of the Charter of the City of Baltimore (1949 Edition), title "Baltimore City", sub-title "Department of Public Works", be and the same is hereby proposed, to read as follows if adopted by the qualified voters of the City of Baltimore:

76 (j) The City Surveyor, unless this office, now provided for by Article VII, Section 2 of the Constitution of the State of Maryland, shall have been abolished as provided in Section 6 (32), shall be assigned to the Bureau of Surveys. He shall perform, under the direction of the Engineer of Surveys, such duties as may be imposed upon him by ordinance and beginning with the term of office of the Surveyor elected in the month of November, 1962 he shall be paid as his aggregate annual compensation for the performance of his duties as City Surveyor and in the Bureau the sum of \$1.00, which shall be in lieu of all fees and emoluments which may be chargeable for work done for the City. All fees and emoluments which he may receive for work done in an official capacity shall be collected by him and paid to the Treasurer and credited to the general revenues of the City. And be it further

Resolved, That the foregoing proposal to amend Section 76 (j) of the Charter of the City of Baltimore (1949 Edition), title "Baltimore City", sub-

title "Department of Public Works", shall be submitted to the legally qualified voters of the City of Baltimore at the general election to be held on the Tuesday next after the first Monday in November, 1962, for adoption or rejection in accordance with the provisions of Article 11A of the Constitution of Maryland, in the following form:

"CHARTER AMENDMENT
PERTAINING TO THE CITY SURVEYOR
FOR CHARTER AMENDMENT
AGAINST CHARTER AMENDMENT"

Approved June 6, 1962.

J. HAROLD GRADY, *Mayor*.

No. 5

(Council No. 2079)

City Council Resolution to propose an amendment to the Charter of Baltimore City (1949 Edition), title "Baltimore City", sub-title "City Council" by the addition of a new Section 20A thereto, to follow immediately after Section 20 thereof, creating a Commission on Boundaries of the Councilmanic Districts, providing for the members and for the powers and duties of this commission, and making general provision for a commission and for the procedure for revising from time to time the boundaries of the councilmanic districts in Baltimore City; and providing for the submission of this amendment to the qualified voters of the City of Baltimore for adoption or rejection.

Be it Resolved by the Mayor and City Council of Baltimore, That the following amendment to the Charter of the City of Baltimore (1949 Edition), title "Baltimore City", sub-title "City Council",

to add a new Section 20A thereto, to follow immediately after Section 20 thereof, be and the same is hereby proposed, to read as follows if adopted by the qualified voters of the City of Baltimore:

20A.

(a) The Commission on Boundaries of the Councilmanic Districts is created, with the members and the powers and duties provided in this section.

(b) There are nine members on the Commission. Six of them shall represent, respectively, the six councilmanic districts of Baltimore City as they are constituted from time to time. The members of the City Council from the six districts, acting separately by districts, shall choose the respective district representatives on the Commission. This representative may or may not be a member of the City Council. The representative of any district shall be a resident of that district.

(c) The seventh and eighth members of the Commission shall be appointed by and represent, respectively, the City Republican State Central Committee and the City Democratic State Central Committee. The ninth member of the Commission shall be appointed from time to time by the Mayor of Baltimore City, and the Mayor's appointee shall serve as Chairman of the Commission. The Mayor's appointee shall be subject to the confirmation of the City Council, under the provisions of Section 12 of this Charter.

(d) Members of the Commission shall be appointed for terms of four years each, or until their successors have been chosen and have assumed office. Their appointments shall be made during the period of sixty (60) days following the beginning of each new term of the City Council, and they shall assume office promptly thereafter. Any of the nine appointments not made within this period of sixty (60) days shall thereafter be made promptly by the Mayor. Members of the Commission shall receive no compensation for their

membership and service, but they may be reimbursed for any necessary expenses thereon.

(e) The Commission is authorized and directed from time to time to establish and to change the boundaries of the six councilmanic districts of Baltimore City. In establishing these districts they shall provide districts of substantially equal number of registered voters and of contiguous area. At any time the official four-year canvass of the voters of Baltimore City, conducted by the Board of Supervisors of Elections of Baltimore City, indicates that in any district or districts there is a variation of ten percent (10%) or more in the number of voters, when compared to any other district or districts, the Commission is specifically directed prior to the next election to change district lines as necessary or desirable in order to adjust the discrepancy to a percentage of less than ten percentum in each instance.

(f) The Commission shall make its recommendations for changing and adjusting the boundary lines of councilmanic districts not later than one year prior to the next succeeding municipal primary election, beginning prior to the municipal primary election scheduled for 1967 and continuing thereafter.

(g) The boundary lines of the several districts recommended at any time by the Commission shall become effective ninety (90) days thereafter unless during that period a majority of all the members elected to the City Council by resolution have indicated their disapproval of the proposed new boundary lines. If there is no such disapproval by the City Council, a detailed description of the proposed new boundaries shall be deposited with the clerk of the Superior Court of Baltimore City and recorded among the Land Records of Baltimore City. Any boundaries so deposited and recorded shall remain the boundaries of the several councilmanic districts of Baltimore City until changed pursuant to the provisions of this section.

(h) All officers, agencies, and departments of the municipal government are directed upon request of the Commission to provide such facilities and assistance to the Commission as may reasonably be furnished.

(i) The depositing of a description of a new set of boundaries of the several councilmanic districts with the Clerk of the Superior Court and their recordation in the Land Records shall not affect the election or tenure of any member of the City Council then in office, for the remainder of the term for which he was elected; but any change in boundaries shall be effective for the municipal primary and municipal general elections next following and during the terms of the members of the City Council then elected.

(j) Whenever a description of a new set of boundaries of the several councilmanic districts first is deposited with the Clerk of the Superior Court and by him recorded in the Land Records of Baltimore City, Section 20 of this Charter is immediately repealed and this Section 20A thereupon shall become Section 20 of the Charter of Baltimore City. And be it further

Resolved, That the foregoing proposal to add a new Section 20A to the Charter of the City of Baltimore (1949 Edition), title "Baltimore City", sub-title "City Council", to follow immediately after Section 20 thereof, shall be submitted to the legally qualified voters of the City of Baltimore at the general election to be held on the Tuesday next after the first Monday in November, 1962, for adoption or rejection in accordance with the provisions of Article 11A of the Constitution of Maryland, in the following form:

"CHARTER AMENDMENT
PERTAINING TO BOUNDARIES OF THE
COUNCILMANIC DISTRICTS
FOR CHARTER AMENDMENT
AGAINST CHARTER AMENDMENT"

Approved July 23, 1962.

J. HAROLD GRADY, *Mayor*.

No. 6

(Council No. 2317)

Resolution to propose an amendment to Section 80 of the Charter of the City of Baltimore, title "Baltimore City," subtitle "Fire Department," as said section was amended by Resolution No. 2 of the Mayor and City Council of Baltimore, approved November 17, 1955, and approved by the voters of Baltimore City at the general election in the month of November, 1956, authorizing the Board of Fire Commissioners to provide for the relief of widows and children of all members of the Fire Department who have died, whether death occurs before or after their retirement, and providing for the submission of this proposed amendment to the qualified voters of the City of Baltimore for adoption or rejection.

Be it Resolved by the Mayor and City Council of Baltimore, That the following amendments to Section 80 of the Charter of the City of Baltimore (1949 edition), title "Baltimore City," subtitle "Fire Department," be and the same are hereby proposed, to read as follows, if adopted by the qualified voters of the City of Baltimore:

80. *Fire Department*—Retirement of Employees. As to employees not covered by the Employees' Retirement System or the Fire and Police Employees' Retirement System of the City, the Board may retire from office in the Department any permanent or call member thereof who has become permanently disabled, while in the actual performance of his duties, from risks taken in the performance of said duties and not due to any wilful misconduct on his part, or who has performed faithful service in the Department for a period of not less than twenty consecutive years, or who may become unable to perform further service by reason of age or other physical or mental disabilities, and place the member so retired upon a pension roll. The amount of such annual pension to be allowed by the Board to

each pensioner shall be equal to one-half the yearly salary received by members of the said Department in active service in the same grade or occupying the same position as, or position most similar to, that occupied by the said pensioner at the time of his retirement, payable in monthly installments. And the Board may also provide for the relief of widows and children of members of the Department who may have been killed in the discharge of their duties or have died as a result of injuries sustained in the performance of said duties, provided that said injuries were caused solely by risks taken in the performance of said duties and not due to the wilful misconduct of the deceased.

The annual amount which shall be paid to the widows and/or to the children under the age of 18 years, of such members of the department who may have been killed in the discharge of their duties or have died as a result of injuries sustained in the performance of these duties shall be in the discretion of the Board, but shall not exceed the full amount of the yearly salary received by members of the Department in active service in the same grade and occupying the same position as, or position most similar to, that occupied by the deceased at the time of his death, payable in monthly installments.

The Board may also provide for the relief of unremarried widows, by marriages existing at the time of such retirement or death, of employees of the Department who are not members of the Employees' Retirement System or the Fire and Police Employees' Retirement System who die, whether death occurs before or after their retirement, subject to the annual Ordinance of Estimates.

And, the annual amount which shall be paid to such widow of such a deceased member shall not exceed fifty per centum (50%) of the yearly pension to which such deceased member would have been entitled to receive had he lived and been retired under the provisions of this Section.

And be it further Resolved, That the foregoing amendments hereby proposed to Section 80 of the Charter of the City of Baltimore (1949 Edition), title "Baltimore City," subtitle "Fire Department," shall be submitted to the legally qualified voters of the City of Baltimore at the municipal general election to be held during the month of May, 1963, for adoption or rejection.

“CHARTER AMENDMENT PERTAINING TO
THE RELIEF OF WIDOWS AND CHILDREN
OF MEMBERS OF THE FIRE DEPARTMENT
FOR CHARTER AMENDMENT
AGAINST CHARTER AMENDMENT”

Approved February 21, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 7

(Council No. 2411)

City Council Resolution to propose an amendment to the Charter of the City of Baltimore (1949 Edition), title "Baltimore City," subtitle "Miscellaneous," by adding a new Section 180B thereto, to follow immediately after Section 180A thereof, prohibiting and pertaining to certain conflict of interests between the Mayor and City Council of Baltimore and its agencies, and the elected officials, officers, employees and agents of said municipality and its agencies; creating the Board of Ethics of Baltimore City and vesting in, and imposing upon, said Board certain powers and duties; vesting certain powers in the Mayor and City Council; providing penalties and discharge or ouster from office or position for violations; providing for setting aside certain contracts with the municipality under certain conditions; relating generally to conflict of interests between the municipality and its agencies, and the elected of-

ficials, officers, employees and agents thereof; and providing for the submission of this amendment to the qualified voters of the City of Baltimore for adoption or rejection.

WHEREAS, Section 5 of Article XI of the Constitution of Maryland, in part, provides that no person, elected and qualified as Mayor, or as a member of the City Council, shall be interested, directly or indirectly, in any contract to which the Mayor and City Council of Baltimore (hereinafter sometimes referred to as the "City") is a party, and that it shall not be lawful for any person holding any office under the City to be interested, while holding such office, in any contract to which the City is a party; and

WHEREAS, a portion of Section 9 of said Article XI states that the General Assembly may make such changes in said Article, except in the seventh section thereof, as it may deem best; and

WHEREAS, subsection (41) of Section 6 of the Charter of Baltimore City (1949 Edition), in part, provides that the voters of Baltimore City shall have and are expressly granted the power to make such changes in Sections 1 to 6, inclusive, of Article XI of the Constitution of the State of Maryland, as they deem best; such power to be exercised only by the adoption or amendment of a Charter as provided in Article XIA of said Constitution; and

WHEREAS, it is deemed necessary and desirable at this time to propose certain conditions pertaining to the relations of elected officials, officers, employees and agents of the municipality to the Mayor and City Council of Baltimore in connection with its business dealings and transactions; therefore

SECTION 1. *Be it resolved by the Mayor and City Council of Baltimore*, That the following new Section 180B be and it is hereby added to the Charter of the City of Baltimore (1949 Edition), title "Balti-

more City," subtitle "Miscellaneous," to follow immediately after Section 180A thereof, and to read as follows if adopted by the qualified voters of the City of Baltimore:

180B. City officers and employees—Conflict of Interests.

(a) It shall be unlawful for the Mayor, the Comptroller, the President of the City Council, the members of the City Council, or any other elected official (hereinafter, jointly or severally, referred to as "elected official") of the Mayor and City Council of Baltimore, to have any financial or other private interest, direct or indirect, including, but not limited to, the representation of a client as an attorney, in any written or oral contract with the City, or any agency thereof, or in any other transaction, including litigation or legislation, in which the City, or any agency thereof, is or may be in any way concerned, except as hereinafter provided.

(b) It shall be unlawful for any appointed officer, employee or agent (except members of any board, commission, authority, or similar agency, of the City, appointed by the Mayor, other than ex-officio members, who are entitled to receive no compensation, or only a honorarium, for their services as a member of any such board, commission, authority, or similar agency, such excepted members hereinafter, jointly or severally, sometimes referred to as "so-called unpaid members") of the Mayor and City Council of Baltimore, or any agency thereof, regardless of the type or form of any such agency or the manner in which it has been designated to have any financial or other private interest, direct or indirect, including, but not limited to, the representation of a client as an attorney, in any written or oral contract with the City, or any agency thereof, or in any other transaction, including litigation or legislation, in which the City, or any agency thereof, is or may be in any way concerned, except as hereinafter provided. For the purposes of this Section 180B, the Chairman and members of the Planning Commission

and the Chairman and members of the Board of Fire Commissioners shall be deemed to receive only an honorarium for their services.

(c) It shall be unlawful for any member of any board, commission, authority, or similar agency, of the Mayor and City Council of Baltimore, who is appointed by the Mayor, other than ex-officio members, and who is entitled to receive no compensation, or only an honorarium, for his services as a member of any such board, commission, authority or similar agency, to have any financial or other private interest, direct or indirect, including, but not limited to, the representation of a client as an attorney, in any written or oral contract with the City, or in any other transaction or matter, including litigation or legislation, in which the City is or may be in any way concerned, over, or in connection with, which the particular board, commission, authority, or similar agency, of which he is a member has any jurisdiction or in any way exercises any power or authority, except as hereinafter provided.

(d) In any event, any elected official, officer, employee or agent of the City, or any agency thereof, who knows, or who reasonably may be expected to know, that he has any direct or indirect financial or other private interest of any kind in any contract, transaction, litigation or legislation in which the City, or any agency thereof, is or may be in any way concerned, shall disqualify himself from voting or acting thereon on behalf of the City, or any agency thereof. If, because of disqualifications under the provisions of this subsection, less than a quorum of any agency of the City is available to act upon any particular transaction, the remaining member or members of such agency shall constitute a quorum and shall have authority to transact any business to the extent permitted by law, provided that such action is first approved by a majority of the Board of Estimates.

(e) Provided, however, that the provisions of subsection (c) hereof shall not apply to or prevent:

(i) Contracts entered into with the City which are awarded as the result of competitive bidding or sealed bids under the applicable provisions of the Charter of the City, and contracts entered into by successful bidders and their subcontractors, when it is no part of the responsibility of any particular so-called unpaid member of a board, commission, authority, or similar agency of the City, mentioned in subsection (c) hereof, to formulate, approve, or participate in the preparation or formulation of any documents forming a part of any such contracts, including, but not limited to, specifications, bid sheet, form of contract and form of performance bond, or to participate on behalf of the City in any manner in the award of any such contract;

(ii) Contracts entered into by the City, or any agency thereof, with any so-called unpaid member of any board, commission, authority, or similar agency of the City, for the performance of any professional services so long as any such contract is not awarded by, and is not for services to be performed for, the particular board, commission, authority, or similar agency of the City, of which the individual person involved is a member;

(iii) Any so-called unpaid member of any board, commission, authority, or similar agency of the City, who is a member of any profession regulated by a Code of Ethics formally adopted by his particular profession, having a financial interest as a partner, associate or employee with other members of his particular profession any one or more of whom represents or is employed by clients or others in transactions or matters before any City agency.

(f) Provided, further that the provisions of subsections (a) and (b) hereof shall not prevent any elected official, officer, employee or agent of the City, or any agency thereof, from representing any person or other legal entity who does business with the City, or any agency thereof, so long as the matter with which such representation is concerned does not in any way involve any contract, trans-

action, negotiation, litigation, or application for any valuable privilege, with, against or from the City, or any agency thereof.

(g) Provided, further, that the provisions of subsections (a), (b) and (c) hereof shall not apply to or prevent:

(i) Any elected official, officer, employee or agent of the City, or any agency thereof, from fully prosecuting, pursuing or securing any claim, right, privilege or remedy, which inures to him by reason of holding any office or position, elective or otherwise, with the municipality, or any agency thereof, (such as, but not limited to, pension, workmen's compensation or civil service or employment rights) or which may be personal to him or his property (such as, but not limited to, torts, tax appeals, zoning or condemnation matters, or securing various permits) and which is granted or made available to him under the general body of law, including the Constitutions of the United States and the State of Maryland.

(ii) Contracts between the City and any public utility company for the furnishing or rendition of public utility services;

(iii) Contracts entered into between the City and any elected official, officer, employee or agent thereof for the purpose of composing or settling any bona fide threatened or actual litigation;

(iv) Deposits of money made by the City in the ordinary course of business in any banking institution;

(v) Contracts entered into with the City by any elected official, officer, employee or agent of the City, or any agency thereof, pertaining to the acquisition of real estate by the City which is needed or required for or in connection with any public improvement or purpose, when the amount of money to be paid by the City for the property involved in any one particular case does not exceed the value of such property as established by not less than two

competent real estate appraisers appointed by the City; provided that all records of the City, or any agency thereof, pertaining to any such transaction, shall be open to public inspection at all times during regular business hours;

(vi) Any situation where any elected official, officer, employee, or agent of the City, or any agency thereof, appears, without compensation, before any City department or agency or legislative body on behalf of constituents or in the performance of any public, official or civic obligations or duties;

(vii) Any situation so as to prevent any elected official, officer, employee or agent of the City, or any agency thereof, from accepting or receiving any benefit or facility which is provided for or made available to citizens or residents or classes of citizens or residents under any housing or other general welfare legislation or in the exercise of the police power;

(viii) Any elected official, officer, employee or agent of the City, or any agency thereof, from holding stock or investing or holding any investment in any corporation or similar legal entity whose stock is owned or held on a broad basis by the general public, provided that such stockholding or investment does not create any conflict in connection with his official duties or responsibilities.

(h) There is hereby created an agency of the Mayor and City Council of Baltimore to be known as the "Board of Ethics of Baltimore City," to consist of five (5) members, one (1) of whom shall be the City Solicitor, ex-officio, one (1) of whom shall be the President of the Civil Service Commission, ex-officio, and three (3) of whom shall be residents of Baltimore City, who shall be individuals of known personal integrity, whose interest in and knowledge of civic affairs shall be recognized, and who shall be appointed by the Mayor of Baltimore City in the manner prescribed by Section 12 of the Charter of Baltimore City as it now exists or as it hereafter may be amended.

(i) The terms of the ex-officio members shall correspond to their respective official tenures and the term of each appointed member shall be five (5) years, or until his successor qualifies and takes office, except that the respective terms of the three (3) members of the Board first appointed shall be as follows: one (1) member shall be appointed for three (3) years; one (1) member shall be appointed for four (4) years, and one member shall be appointed for five (5) years. The Mayor of Baltimore City shall designate the terms of the members of the Board first appointed and the Chairman of the Board shall be elected by the members of the Board. The Chairman of the Board shall serve as such until the expiration of his term or his office otherwise becomes vacant. The members of the Board shall annually elect one of its members as Vice Chairman who, in the absence of the Chairman of the Board, shall preside over the meetings of the Board and perform such other duties as may be imposed upon him by law or as may be assigned to him by the Board.

(ii) Any vacancy in the membership of the Board caused by the expiration of a term or by the resignation, removal, death or permanent absence from the State of Maryland of an incumbent or by supervening incapacity on his part, whether physical or mental, to discharge his duties, or by any other cause, create such a vacancy, either actual or in effect, shall be filled for a new term or for the remainder of the term of such incumbent, as the case may be, in the same manner as provided herein for the appointment of the first members of the Board. Any member of the Board shall be eligible for reappointment.

(iii) The members of the Board may be removed from office for cause in accordance with the provisions of Section 12 of the Charter of Baltimore City, as it now exists, or as it may hereafter be amended.

(iv) No appointed member of the Board shall

receive any compensation for his services on the Board, but each member shall be reimbursed for his necessary and proper expenses incurred in the performance of his duties as such.

(v) The Board may adopt such rules and regulations as it may deem necessary for the proper transaction of any business. Three (3) members of the Board shall constitute a quorum for the transaction of business and the affirmative vote of at least three (3) members shall be necessary for any action taken by the Board. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Board. All sessions or meetings of the Board, except executive sessions, shall be open to the public. The Board shall keep records of its proceedings, showing the vote of each member on each question, or if absent or failing to vote, indicating such fact. The Board shall keep a record of all resolutions, transactions, findings, determinations and decisions, and all the records of the Board shall be kept in the office of the Board and shall be public records. Provided, however, that none of such records shall be made available or used for any purpose contrary to the provisions and spirit of paragraph (viii) of this subsection (h).

(vi) The Board, with the prior approval of the Board of Estimates, may appoint, employ, hire or engage such assistants, aides and employees as may be deemed necessary for the proper performance of the duties and functions of the Board, and the compensation of such assistants, aides and employees shall be paid as provided in the annual Ordinance of Estimates.

(vii) The Board is hereby authorized and empowered to make, adopt, promulgate, issue, modify and repeal, from time to time, such orders, rules and regulations as it may deem necessary or proper to administer and enforce the provisions of this Section and to have such provisions operate on a reasonable basis, and to define and interpret any of the

terms or provisions used or contained in this Section; all to the end that the benefits intended by the provisions of this Section shall be secured to the City. A copy of all such orders, rules and regulations shall be filed with the Department of Legislative Reference.

(viii) The Board shall render advisory opinions to elected officials, officers, employees and agents of the City, or any agency thereof, with respect to any of the matters provided for or contemplated by the provisions of this Section. Such advisory opinions shall be rendered pursuant to written requests by the elected official, officer, employee or agent concerned. The Board shall publish its advisory opinions with such deletions as may be necessary to prevent disclosure of the identity of the elected official, officer, employee or agent who requested such opinion.

(i) The Mayor and City Council, by ordinance, may modify, amend, alter, clarify or implement any or all of the provisions of this Section 180B.

(j) Any person who knowingly violates any of the provisions of this Section, or of any order, rule or regulation issued, made or adopted by the Board of Ethics of Baltimore City, or any of the provisions of any ordinance which may be ordained pursuant to the authority contained herein, shall be guilty of a misdemeanor and shall, on conviction thereof, be fined not less than one hundred dollars nor more than five hundred dollars, or be imprisoned in the Baltimore City Jail for a term of not more than twelve months, or both, in the discretion of the Court; and, in addition, in any case where any officer, employee or agent hereinbefore mentioned, is involved, it shall be obligatory on the Mayor or the employing agency, as the case may be, following such conviction, to immediately dismiss such convicted person from his office or position; and, in addition, in the case where any elected official is convicted as aforesaid, the duties, powers and authority vested in such convicted official by law shall terminate in their entirety

as of the day of conviction and the office formerly held by such convicted official thereafter shall be filled in the same manner as though such official had died while holding office.

(k) Any contract entered into by any person or other legal entity with the City, or any agency thereof, in violation of any provision of this Section, or any order, rule or regulation issued, made or adopted by the Board of Ethics of Baltimore City, or any provision of any ordinance ordained pursuant to the authority contained herein, may be terminated upon such terms and conditions as may be approved by the Board of Estimates, or it may be set aside in its entirety, in any legal action instituted on behalf of the City, by the City Solicitor of Baltimore City, with the approval of the Board of Estimates, unless the court finds that such contract is in the public interest. In any such legal action such contract shall prima facie be deemed not to be in the public interest. Except as herein provided, no contract with the City, or any agency thereof, shall be set aside because of a violation of any provision of this Section, or any order, rule or regulation issued, made or adopted by the Board of Ethics of Baltimore City, or any ordinance ordained pursuant to the authority contained herein, or on the ground of conflict of interests.

SEC. 2. *And be it further resolved*, That the foregoing proposed addition of Section 180B to the Charter of the City of Baltimore, title "Baltimore City," subtitle "Miscellaneous," shall be submitted to the legally qualified voters of the City of Baltimore at the municipal election to be held on the Tuesday next after the first Monday in May in the year 1963, for adoption or rejection, in accordance with the provisions of Article 11A of the Constitution of Maryland, in the following form:

CHARTER AMENDMENT
TO ADD CONFLICT
OF INTEREST PROVISIONS
TO THE CITY CHARTER

FOR CHARTER AMENDMENT
AGAINST CHARTER AMENDMENT

Approved March 1, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 8

(Council No. 2440)

City Council Resolution to propose an amendment to Section 37 of the Charter of the City of Baltimore, (1949 Edition), title "Baltimore City," subtitle "Board of Estimates," by the addition of a new subsection (d) thereto, to follow immediately after subsection (c) thereof, providing that in contracting for public work or for the purchase of supplies or materials the City may require the prequalification of bidders; and providing for the submission of this proposed amendment to the qualified voters of the City of Baltimore for adoption or rejection.

SECTION 1. *Be it resolved by the Mayor and City Council of Baltimore*, That the following amendment to Section 37 of the Charter of the City of Baltimore, (1949 Edition), title "Baltimore City," subtitle "Board of Estimates," be and it is hereby proposed, to read as follows if adopted by the qualified voters of the City of Baltimore:

37.

(d) In contracting for any public work or the purchase of any supplies or materials for the City or by any municipal agency, the City shall have the right and authority, from time to time and in its discretion, to establish, maintain and modify rules, regulations and standards for the prequalification of bidders.

SEC. 2. *And be it further resolved*, That the foregoing amendment hereby proposed to Section 37 of the Charter of the City of Baltimore (1949 Edition), title "Baltimore City," subtitle "Board of Estimates," shall be submitted to the legally qualified voters of the City of Baltimore at the general election to be held on the Tuesday next after the first Monday in May, 1963, for adoption or rejection in accordance with the provisions of Article 11A of the Constitution of Maryland, in the following form:

CHARTER AMENDMENT TO PROVIDE
 THAT IN CONTRACTING FOR PUBLIC WORK
 OR THE PURCHASE OF SUPPLIES OR
 MATERIALS THE CITY MAY REQUIRE
 A PREQUALIFICATION OF BIDDERS.
 FOR CHARTER AMENDMENT
 AGAINST CHARTER AMENDMENT

Approved March 1, 1963.

PHILIP H. GOODMAN, *Mayor*.

No. 9

(Council No. 2572)

Resolution to propose amendments to the Charter of the City of Baltimore (1949 Edition), title "Baltimore City," subtitle "City Council," by amending Section 16 thereof and by repealing Section 20 thereof, and ordaining a new Section 20 in lieu thereof, to change the formula for determining the number of members of the City Council of Baltimore elected from each councilmanic district of Baltimore City, to specify the descriptions of the boundaries of the councilmanic districts of Baltimore City from which members of the City Council of Baltimore are elected, and providing for the submission of these amendments to the qualified voters of the City of Baltimore for adoption or rejection.

SECTION 1. *Be it resolved by the Mayor and City Council of Baltimore,* That the following amendments to Section 16 of the Charter of the City of Baltimore (1949 Edition), title "Baltimore City," subtitle "City Council," the repeal of Section 20 thereof, and the ordaining of a new Section 20 in lieu thereof, be and the same are hereby proposed, to read as follows if adopted by the qualified voters of the City of Baltimore:

16. The voters shall elect the members of the City Council on the Tuesday next after the first Monday in May in the year 1947 and every fourth year thereafter. Their term of office shall be four years. Said election shall be held by Councilmanic Districts and no person shall be entitled to vote for any member of the City Council except for the members for the District in which the voter is duly registered. The number of members to be elected from each District shall be determined as follows: three members for each District in which there were not more than 70,000 voters at the close of office hours of the Board of Supervisors of Elections of Baltimore City on the first Monday in December prior to the election; four members for each District having more than 70,000 such voters.

The determination of the number of registered voters in each District, shall be made by the Board of Supervisors of Election of Baltimore City and an appropriate certificate with respect thereto shall be filed by said Board with the Mayor and with the President of the City Council not later than the Friday following the first Monday in December prior to the date on which members of the City Council are to be elected.

20.

(a) The boundaries of the councilmanic districts of Baltimore City are described as follows:

b. FIRST COUNCILMANIC DISTRICT. Beginning at the intersection of the New Eastern City Line and

the waters of the Patapsco River, thence northwesterly with the waters of the Patapsco River, the waters of the Northwest Branch, and the waters of the Basin to the north side of Pratt Street; thence westerly along the north side of Pratt Street to the east side of Fremont Avenue; thence northerly along the east side of Fremont Avenue to the south side of Mulberry Street; thence easterly along the south side of Mulberry Street to the east side of Eutaw Street; thence northerly along the east side of Eutaw Street to the south side of Franklin Street; thence easterly along the south side of Franklin Street to the west side of Guilford Avenue; thence southerly along the west side of Guilford Avenue to the south side of Bath Street; thence easterly along the south side of Bath Street to the east side of the Fallsway; thence northerly along the east side of the Fallsway to the south side of Monument Street; thence easterly along the south side of Monument Street to the west side of Aisquith Street; thence southerly along the west side of Aisquith Street to the south side of Baltimore Street; thence easterly along the south side of Baltimore Street to the east side of Milton Avenue; thence northerly along the east side of Milton Avenue to the south side of Fayette Street; thence easterly along the south side of Fayette Street to the Old Eastern City Line; thence northerly along the Old Eastern City Line to the south side of Pulaski Highway; thence easterly along the south side of Pulaski Highway to the east side of Erdman Avenue; thence northerly along the east side of Erdman Avenue to the south side of Lafayette Avenue; thence easterly along the south side of Lafayette Avenue to the Susquehanna Transmission Company line; thence northeasterly along the Susquehanna Transmission Company line to the New Eastern City Line; thence southerly along the New Eastern City Line to the waters of the Patapsco River, at the place of beginning.

(c) SECOND COUNCILMANIC DISTRICT. Beginning at the intersection of the Old Eastern City line and

the north side of Fayette Street; thence westerly along the north side of Fayette Street to the west side of Milton Avenue thence southerly along the west side of Milton Avenue to the north side of Baltimore Street; thence westerly along the north side of Baltimore Street to the east side of Aisquith Street; thence northerly along the east side of Aisquith Street to the north side of Monument Street; thence westerly along the north side of Monument Street to the west side of the Fallsway; thence southerly along the west side of the Fallsway to the north side of Bath Street; thence westerly along the north side of Bath Street to the east side of Guilford Avenue; thence northerly along the east side of Guilford Avenue to the north side of Franklin Street; thence westerly along the north side of Franklin Street to the east side of Eutaw Street; thence northerly along the east side of Eutaw Street to the northeasterly side of Druid Hill Avenue; thence northwesterly along the northeast side of Druid Hill Avenue to the south side of Lafayette Avenue; thence northeasterly along the southeast side of Lafayette Avenue to the northeast side of Linden Avenue; thence northwesterly along the northeast side of Linden Avenue to the southeasterly side of Robert Street; thence northeasterly along the southeast side of Robert Street to the east side of Bolton Street; thence northerly along the east side of Bolton Street to the south side of North Avenue; thence easterly along the south side of North Avenue to Jones Falls; thence northwesterly along the northeast side of Jones Falls to the east side of Stoney Run; thence northerly along the east side of Stoney Run to the Old Northern City Line; thence easterly along the Old Northern City Line to the west side of Greenmount Avenue; thence southerly along the west side of Greenmount Avenue to the south side of Thirty-third street; thence easterly along the south side of Thirty-third Street to the west side of Hillen Road; thence southerly along the west side of Hillen Road to the south side of Thirty-second Street; thence easterly

along the south side of Thirty-second Street to the west side of Jenifer Street; thence southerly along the west side of Jenifer Street to the south side of Thirty-first Street; thence easterly along the south side of Thirty-first Street to the west side of Harford Road; thence southerly along the west side of Harford Road to the south side of North Avenue; thence easterly along the south side of North Avenue to the west side of Caroline Street; thence southerly along the west side of Caroline Street to the south side of Federal Street; thence easterly along the south side of Federal Street to the east side of Bond Street; thence northerly along the east side of Bond Street to the south side of Lafayette Avenue; thence easterly along the south side of Lafayette Avenue to the west side of Chester Street; thence southerly along the west side of Chester Street to the north side of Belair Road; thence southerly along the north side of Belair Road to the south side of Oliver Street; thence easterly along the south side of Oliver Street to the east side of Patterson Park Avenue; thence northerly along the east side of Patterson Park Avenue to the south side of Federal Street; thence easterly along the south side of Federal Street to the Old Eastern City Line; thence northerly along the Old Eastern City Line to the south side of Lafayette Avenue; thence easterly along the south side of Lafayette Avenue to the west side of Erdman Avenue; thence southerly along the west side of Erdman Avenue to the north side of Pulaski Highway; thence westerly along the north side of Pulaski Highway to the Old Eastern City Line; thence southerly along the Old Eastern City Line to the north side of Fayette Street at the place of beginning.

(d) THIRD COUNCILMANIC DISTRICT. Beginning at the intersection of the east side of Charles Street and the New Northern City Line; thence easterly along the New Northern City Line to its intersection with the New Eastern City Line; thence southerly along the New Eastern City Line to the Susquehanna Transmission Company line; thence south-

westerly along the Susquehanna Transmission Company line to the north side of Lafayette Avenue; thence westerly along the north side of Lafayette Avenue to the Old Eastern City Line; thence southerly along the Old Eastern City Line to the north side of Federal Street; thence westerly along the north side of Federal Street to the west side of Patterson Park Avenue; thence southerly along the west side of Patterson Park Avenue to the north side of Oliver Street; thence westerly along the north side of Oliver Street to the east side of Belair Road; thence northerly along the east side of Belair Road to the east side of Chester Street; thence northerly along the east side of Chester Street to the north side of Lafayette Avenue; thence westerly along the north side of Lafayette Avenue to the west side of Bond Street; thence southerly along the west side of Bond Street to the north side of Federal Street; thence westerly along the north side of Federal Street to the east side of Caroline Street; thence northerly along the east side of Caroline Street to the north side of North Avenue; thence westerly along the north side of North Avenue to the east side of Harford Road; thence northerly along the east side of Harford Road to the north side of Thirty-first Street; thence westerly along the north side of Thirty-first Street to the east side of Jenifer Avenue; thence northerly along the east side of Jenifer Avenue to the north side of Thirty-second Street; thence westerly along the north side of Thirty-second Street to the east side of Hillen Road; thence northerly along the east side of Hillen Road to the north side of Thirty-third Street; thence westerly along the north side of Thirty-third Street to the east side of Greenmount Avenue; thence northerly along the east side of Greenmount Avenue to the Old Northern City Line; thence westerly along the Old Northern City Line to the east side of Charles Street; thence northerly along the east side of Charles Street to the New Northern City Line at the place of beginning.

(e) FOURTH COUNCILMANIC DISTRICT. Beginning at the intersection of the west side of Eutaw Street and the north side of Mulberry Street; thence westerly along the north side of Mulberry Street to the east side of Fremont Avenue; thence northerly along the east side of Fremont Avenue to the north side of Edmondson Avenue; thence westerly along the north side of Edmondson Avenue to the east side of Warwick Avenue thence northerly along the east side of Warwick Avenue to the north side of Arunah Avenue thence westerly along the north side of Arunah Avenue to the east side of Whitmore Avenue thence northerly along the east side of Whitmore Avenue to the western boundary of St. Peters Cemetery thence northerly along said boundary to the line of the north side of Lorman Street as proposed thence westerly along the north side of said line to the east side of a line in prolongation of Braddish Avenue thence northerly along said line to the north side of Baker Street thence westerly along the north side of Baker Street to the east side of Bloomingdale Road thence northerly along the east side of Bloomingdale Road to the north side of Presbury Street thence westerly along the north side of Presbury Street to the east side of Rosedale Street thence northerly along the east side of Rosedale Street to the north side of Clifton Avenue; thence westerly along the north side of Clifton Avenue to the east side of Ellamont Street; thence northerly along the east side of Ellamont Street to the north side of Gwynns Falls Parkway; thence westerly along the north side of Gwynns Falls Parkway to the east side of Hilton Street; thence northerly along the east side of Hilton Street to the Western Maryland Railroad Tracks; thence northwesterly along the Western Maryland Railroad Tracks to the Old Northern City Line; thence easterly along the Old Northern City Line to the east side of Reisterstown Road; thence northerly along the east side of Reisterstown Road to the south side of Belvedere Avenue thence easterly along the south side of Belvedere Avenue to the west side of Greenspring

Avenue thence southerly along the west side of Greenspring Avenue to the Old Northern City Line; thence easterly along the Old Northern City Line to Stoney Run; thence southerly along Stoney Run to Jones Falls; thence southerly along Jones Falls to the north side of North Avenue; thence westerly along the north side of North Avenue to the west side of Bolton Street; thence southerly along the west side of Bolton Street to the north side of Robert Street; thence southerly along the north side of Robert Street to the west side of Linden Avenue; thence southerly along the west side of Linden Avenue to the north side of Lafayette Avenue; thence southerly along the north side of Lafayette Avenue to the west side of Druid Hill Avenue; thence southerly along the west side of Druid Hill Avenue to the west side of Eutaw Street; thence southerly along the west side of Eutaw Street to the north side of Mulberry Street, at the place of beginning.

(f) FIFTH COUNCILMANIC DISTRICT. Beginning at the intersection of the north side of Frederick Avenue and the new Western City Line; thence northerly along the New Western City Line to its intersection with the New Northern City Line; thence easterly along the New Northern City Line to the west side of Charles Street; thence southerly along the west side of Charles Street to the Old Northern City Line; thence westerly along the Old Northern City Line to the east side of Greenspring Avenue thence northerly along the east side of Greenspring Avenue to the north side of Belvedere Avenue thence westerly along the north side of Belvedere Avenue to the west side of Reisterstown Road thence southerly along the west side of Reisterstown Road to the Old Northern City Line; thence westerly along the Old Northern City Line to the Western Maryland Railroad Tracks; thence southerly along the Western Maryland Railroad Tracks to the west side of Hilton Street; thence southerly along the west side of Hilton Street to the south side of Gwynns Falls Parkway; thence

easterly along the south side of Gwynns Falls Parkway to the west side of Ellamont Street; thence southerly along the west side of Ellamont Street to the south side of Clifton Avenue; thence easterly along the south side of Clifton Avenue to the west side of Rosedale Street; thence southerly along the west side of Rosedale Street to the south side of Presbury Street thence easterly along the south side of Presbury Street to the west side of Bloomingdale Road thence southerly along the west side of Bloomingdale Road to the south side of Baker Street thence easterly along the south side of Baker Street to the west side of a line in prolongation of Braddish Avenue thence southerly along the said line to the line of the south side of Lorman Street as proposed thence easterly along said line to the western boundary of St. Peters Cemetery thence southerly along the western boundary of said Cemetery to the west side of Whitmore Avenue thence southerly along the west side of Whitmore Avenue to the south side of Arunah Avenue thence easterly along the south side of Arunah Avenue to the west side of Warwick Avenue thence southerly along the west side of Warwick Avenue to the south side of Edmondson Avenue thence easterly along the south side of Edmondson Avenue to the west side of Fulton Street; thence southerly along the west side of Fulton Street to the north side of Baltimore Street; thence westerly along the north side of Baltimore Street to the west side of Monroe Street; thence southerly along the west side of Monroe Street to the north side of Ramsay Street; thence westerly along the north side of Ramsay Street to the west side of Smallwood Street; thence southerly along the west side of Smallwood Street to the north side of Ashton Street; thence westerly along the north side of Ashton Street to the east side of Millington Avenue; thence northerly along the east side of Millington Avenue to the north side of Frederick Avenue; thence westerly along the north side of Frederick Avenue to the west side of Longwood Street; thence

southerly along the west side of Longwood Street to the north side of Stafford Street, thence westerly along the north side of Stafford Street to the east side of Caton Avenue, thence northerly along the eastern side of Caton Avenue to the north side of Frederick Avenue, thence westerly along the north side of Frederick Avenue to the New Western City Line, at the place of beginning.

(g) SIXTH COUNCILMANIC DISTRICT. Beginning at the intersection of the New Southeastern City Line and the waters of the Patapsco River; thence southwesterly along the New Southeastern City Line to the New Southwestern City Line; thence westerly along the New Southwestern City Line to the south side of Frederick Avenue; thence easterly along the south side of Frederick Avenue to the west side of Caton Avenue, thence southerly along the west side of Caton Avenue to the south side of Stafford Street, thence easterly along the south side of Stafford Street to the east side of Longwood Street, thence northerly along the east side of Longwood Street to the south side of Frederick Avenue, thence easterly along the south side of Frederick Avenue to the west side of Millington Avenue; thence southerly along the west side of Millington Avenue to the south side of Ashton Street; thence easterly along the south side of Ashton Street to the east side of Smallwood Street; thence northerly along the east side of Smallwood Street to the south side of Ramsay Street; thence easterly along the south side of Ramsay Street to the east side of Monroe Street; thence northerly along the east side of Monroe Street to the south side of Baltimore Street; thence easterly along the south side of Baltimore Street to the east side of Fulton Avenue; thence northerly along the east side of Fulton Avenue to the south side of Edmondson Avenue; thence easterly along the south side of Edmondson Avenue to the west side of Fremont Avenue; thence southerly along the west side of Fremont Avenue to the south side of Pratt Street; thence easterly along the south side of Pratt Street to the waters of the Basin;

thence with the waters of the Basin, the waters of the Northwest Branch, the waters of the Middle Branch, the waters of the Patapsco River, and the waters of Curtis Bay and Curtis Creek to the New Southeastern City Line at the place of beginning.

(h) Nothing in this Section shall be construed or applied to affect the six councilmanic districts of the City of Baltimore as they now exist on the effective date of this resolution, nor the tenure of the several councilmen from these six districts of Baltimore City. The changes in the several councilmanic districts are to be effective for the primary and general municipal elections to be held in the year 1967 and thereafter the districts here described are to be the councilmanic districts of the City of Baltimore at the time the several councilmen elected in 1967 qualify and take office.

SEC. 2. *And be it further resolved*, That the foregoing proposed amendments to Section 16 and Section 20 of the Charter of the City of Baltimore (1949 edition), title "Baltimore City," subtitle "City Council," shall be submitted to the legally qualified voters of the City of Baltimore at the general election to be held on the Tuesday next after the first Monday in November in the year 1964 for adoption or rejection in accordance with the provisions of Article 11A of the Constitution of Maryland in the following form:

"CHARTER AMENDMENT
TO REVISE THE COUNCILMANIC DISTRICTS
OF BALTIMORE CITY
FOR CHARTER AMENDMENT
AGAINST CHARTER AMENDMENT"

Approved May 20, 1963.

PHILIP H. GOODMAN, *Mayor*.

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