

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 22-0286

Introduced by: The Council President
At the request of: The Comptroller (Department of Real Estate)
Introduced and read first time: October 3, 2022
Assigned to: Ways and Means Committee
Committee Report: Favorable, with amendments
Council action: Adopted
Read second time: September 18, 2023

AN ORDINANCE CONCERNING

**Sale of Property – South Side Boston Street, South West Corner, and
South Newkirk Street (Block 6587, Lot 008A); and
South Side Boston Street, South East Corner, and
South Newkirk Street (Block 6587A, Lot 016)**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain properties located at South Side Boston Street, South West Corner, and South Newkirk Street (Block 6587, Lot 008A) and South Side Boston Street, South East Corner, and South Newkirk Street (Block 6587A, Lot 016) and are no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the Comptroller of Baltimore City may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the properties located at South Side Boston Street, South West Corner, and South Newkirk Street (Block 6587, Lot 008A), containing 0.058 acres, more or less, as more particularly described on Appendix A attached hereto, and South Side Boston Street, South East Corner, and South Newkirk Street (Block 6587A, Lot 016), containing 0.239 acres, more or less, as more particularly depicted on Appendix B attached hereto, these properties being no longer needed for public use.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That after this Ordinance, all subsurface
2 structures and appurtenances now owned by the Mayor and City Council of Baltimore continue
3 to be the property of the Mayor and city Council, in fee simple, until their use has been
4 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere
5 with them, that person must first obtain permission from the Mayor and City Council and, in the
6 application for this permission, must agree to pay all costs and expenses, of every kind, arising
7 out of the removal, alteration, or interference.

8 **SECTION 3. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
9 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
10 the properties located at South Side Boston Street, South West Corner, and South Newkirk Street
11 (Block 6587, Lot 008A) and South Side Boston Street, South East Corner, and South Newkirk
12 Street (Block 6587A, Lot 016) which will be sold under this Ordinance until all subsurface
13 structures and appurtenances owned by the Mayor and City Council of Baltimore have been
14 abandoned by the Mayor and City Council or, have been removed and relaid in accordance with
15 the specifications and under the direction of the Director of Transportation of Baltimore City and
16 at the expense of the person seeking to erect the building or structure.

17 **SECTION 4. AND BE IT FURTHER ORDAINED,** That after the sale of the lots under this
18 Ordinance, all subsurface structures and appurtenances owned by any person other than the
19 Mayor and City Council of Baltimore shall be removed by and at the expense of their owners,
20 promptly upon notice to do so from the Director of Transportation.

21 **SECTION 5. AND BE IT FURTHER ORDAINED,** That at all times after the sale of the lots
22 under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its
23 authorized representatives, shall have access to the subject property and to all subsurface
24 structures and appurtenances ~~used~~ owned by the Mayor and City Council, for the purpose of
25 inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to
26 obtain permission from or pay compensation to the owner of the property.

27 **SECTION 6. AND BE IT FURTHER ORDAINED,** That no deed may pass under this Ordinance
28 unless the deed has been approved by the City Solicitor.

29 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
30 enacted.

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Certified as duly passed this 2 day of October, 2023



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 2 day of October, 2023



Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City