

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 11-0750**

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Introduced by: The Council President  
At the request of: The Administration (Department of General Services)  
Introduced and read first time: August 15, 2011  
Assigned to: Highways and Franchises Subcommittee

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Committee Report: Favorable  
Council action: Adopted  
Read second time: October 17, 2011

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**AN ORDINANCE CONCERNING**

**City Streets – Closing –  
Eager Street**

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2  
3 FOR the purpose of condemning and closing Eager Street, extending from Chester Street,  
4 Easterly 266.6 feet, more or less, to Collington Avenue and lying within the Middle East  
5 Urban Renewal Project, as shown on Plat 341-A-43A in the Office of the Department of  
6 General Services; and providing for a special effective date.

7 BY authority of  
8 Article I - General Provisions  
9 Section 4  
10 and  
11 Article II - General Powers  
12 Sections 2, 34, 35  
13 Baltimore City Charter  
14 (1996 Edition)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
16 Department of Public Works shall proceed to condemn and close Eager Street, extending from  
17 Chester Street, Easterly 266.6 feet, more or less, to Collington Avenue and lying within the  
18 Middle East Urban Renewal Project, and more particularly described as follows:

19 Beginning for Parcel No. 1 at the point formed by the intersection of the south  
20 side of Eager Street, 66 feet wide, and the east side of Chester Street, 70 feet  
21 wide, and running thence binding on the east side of said Chester Street,  
22 Northerly 66.0 feet to intersect the north side of said Eager Street; thence binding  
23 on the north side of said Eager Street, Easterly 266.6 feet, more or less, to  
24 intersect the west side of Collington Avenue, 70 feet wide; thence binding on the  
25 west side of said Collington Avenue, Southerly 66.0 feet to intersect the south  
26 side of said Eager Street, and thence binding on the south side of said Eager  
27 Street, Westerly 266.6 feet, more or less, to the place of beginning.

**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 As delineated on Plat 341-A-43A, prepared by the Survey Control Section and filed on January  
2 28, 2011, in the Office of the Department of General Services.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
4 closing of Eager Street and the rights of all interested parties shall be regulated by and in  
5 accordance with all applicable provisions of state and local law and with all applicable rules and  
6 regulations adopted by the Director of General Services and filed with the Department of  
7 Legislative Reference.

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

15 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind  
16 (including but not limited to railroad tracks) may be constructed or erected in or on any part of  
17 the street closed under this Ordinance until all subsurface structures and appurtenances owned by  
18 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council  
19 or, at the expense of the person seeking to erect the building or structure, have been removed and  
20 relaid in accordance with the specifications and under the direction of the Director of General  
21 Services of Baltimore City.

22 **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all  
23 subsurface structures and appurtenances owned by any person other than the Mayor and City  
24 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon  
25 notice to do so from the Director of Public Works.

26 **SECTION 6. AND BE IT FURTHER ORDAINED,** That at all times after the closing under this  
27 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized  
28 representatives, shall have access to the subject property and to all subsurface structures and  
29 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining,  
30 repairing, altering, relocating, or replacing any of them, without need to obtain permission from  
31 or pay compensation to the owner of the property.

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

**Council Bill 11-0750**

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City