

Introduced by: The Council President

At the request of: The Administration (Department of Transportation)

Prepared by: Department of Legislative Reference

Date: March 15, 2017

Referred to: HOUSING AND URBAN AFFAIRS Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0040

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –
Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street,
West 28th Street, and Remington Avenue**

FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; and providing for a special effective date.

BY authority of

Article I - General Provisions

Section 4

and

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter

(1996 Edition)

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

Baltimore City Public School System

Baltimore Development Corporation

City Solicitor

Comptroller's Office

Department of Audits

Department of Finance

Department of General Services

Department of Housing and Community Development

Department of Human Resources

Department of Planning

Other: _____

Other: _____

Other: _____

Department of Public Works

Department of Real Estate

Department of Recreation and Parks

Department of Transportation

Fire Department

Health Department

Mayor's Office of Employment Development

Mayor's Office of Human Services

Mayor's Office of Information Technology

Office of the Mayor

Police Department

Other: _____

Other: _____

Boards and Commissions

Board of Estimates

Board of Ethics

Board of Municipal and Zoning Appeals

Comm. for Historical and Architectural Preservation

Commission on Sustainability

Employees' Retirement System

Other: _____

Other: _____

Other: _____

Environmental Control Board

Fire & Police Employees' Retirement System

Labor Commissioner

Parking Authority Board

Planning Commission

Wage Commission

Other: _____

Other: _____

Other: _____

CITY OF BALTIMORE
ORDINANCE **17-027**
Council Bill 17-0040

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: March 20, 2017
Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable
Council action: Adopted
Read second time: June 5, 2017

AN ORDINANCE CONCERNING

1 City Streets – Closing –
2 Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street,
3 West 28th Street, and Remington Avenue

4 FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th
5 Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in
6 the Office of the Department of Transportation; 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 Transportation shall proceed to condemn and close the beds of 2 10-foot alleys
17 bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, and more
18 particularly described as follows:

19 Beginning for Parcel Number 1 at a point on the 4th or Northeasterly 80-foot line
20 of a parcel of land described in a deed dated August 21st, 2013 by and between
21 AKKQ, LLC and Millers Square, LLC recorded among the Land Records of
22 Baltimore City in Liber FMC 15598, folio 181 located 5.00 feet from the
23 beginning thereof, the point of beginning being also located at the intersection of
24 the Northeast side of a 10-foot alley and the Southwest side of another 10-foot
25 alley; the point of beginning being distant southwesterly 75.00 feet from the
26 southeast side of Remington Avenue (96 feet wide) thence binding on the
27 Northeast side of the 10-foot alley mentioned firstly herein

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.

Council Bill 17-0040

- 1 1. Southeasterly 48 feet, more or less, to intersect the 4th or Southwesterly
2 150 foot line of a parcel of land described in a deed dated June 5th,
3 2013 by and between Susan L. Lawson and Millers Square, LLC
4 recorded among the Land Records of Baltimore City in Liber FMC
5 15301, folio 399; thence
- 6 2. Southwesterly 10 feet thence;
- 7 3. Northwesterly 48 feet, more or less; and thence
- 8 4. Northeasterly 10 feet, to the point of beginning.

9 Containing 480 square feet or 0.011 acres, more or less.

10 Beginning for Parcel Number 2 at a point formed by the intersection of the
11 Northwest side of a 10-foot alley and the Northeast side of Fox Street, 20 feet
12 wide, the point of beginning being distant Southeasterly 70.00 feet measured
13 along the Northeast side of Fox Street from a point formed by the intersection of
14 the Southeast side of West 28th Street, 66 feet wide, and the Northeast side of Fox
15 Street; thence departing the Northeast side of Fox Street and binding on the
16 Northwest side of the 10-foot alley

- 17 1. Northeasterly 150 feet, more or less, to intersect the Southwest side of
18 Remington Avenue, 96 feet wide; thence binding on part of the
19 Southwest side of Remington Avenue;
- 20 2. Southeasterly 10 feet, to a point formed by the intersection of the
21 Southwest side of Remington Avenue and the Southeast side of the 10-
22 foot alley; thence departing the Southwest side of Remington Avenue
23 and binding on the Southeast side of the 10-foot alley;
- 24 3. Southwesterly 150 feet, more or less, to intersect the Northeast side of
25 Fox Street; thence binding on part of the Northeast side of Fox Street;
- 26 4. Northwesterly 10 feet, to the point of beginning.

27 Containing 1,500 square feet, or 0.034 acres, more or less.

28 As delineated on Plat 70-A-3021A, prepared by the Survey Section and filed on December 22,
29 2015, in the Office of the Department of Transportation.

30 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
31 closing of the beds of 2 10-foot alleys and the rights of all interested parties shall be regulated by
32 and in accordance with all applicable provisions of state and local law and with all applicable
33 rules and regulations adopted by the Director of Transportation and filed with the Department of
34 Legislative Reference.

35 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
36 subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore
37 continue to be the property of the Mayor and City Council, in fee simple, until their use has been

Council Bill 17-0040

1 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
2 them, that person must first obtain permission from the Mayor and City Council and, in the
3 application for this permission, must agree to pay all costs and expenses, of every kind, arising
4 out of the removal, alteration, or interference.

5 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
6 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
7 the alleys closed under this Ordinance until all subsurface structures and appurtenances owned by
8 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
9 or, at the expense of the person seeking to erect the building or structure, have been removed and
10 relaid in accordance with the specifications and under the direction of the Director of
11 Transportation of Baltimore City.

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

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

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

the Day of _____

Chief Solicitor

Council Bill 17-0040

Certified as duly passed this _____ day of JUN 12 2017, 20____



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of JUN 12 2017



Chief Clerk

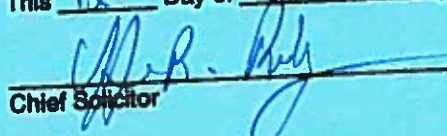
Approved this 13 day of June, 2017



Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 12th Day of June 2017



Chief Solicitor

BALTIMORE CITY COUNCIL
Housing And Urban Affairs Committee
VOTING RECORD

DATE: 5-25-17

BILL#CC: 17- 0040 BILL TITLE: Ordinance – City Streets – Closing – Beds of 2 10 Foot Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue

MOTION BY: Burnett SECONDED BY: Dorsey

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Bullock, J. Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleifer, I. Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burnett, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry, B.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sneed ,S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cohen, Z	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS	6	0		

CHAIRPERSON: [Signature]
 COMMITTEE STAFF: Richard G. Krummerich, Initials: RK



**BALTIMORE
HOUSING**

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
Acting Commissioner, HCD

MEMORANDUM

**To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary**

From: Michael Braverman, Acting Commissioner

MEB

Date: May 22, 2017

**Re: City Council Bill 17-0040 - City Streets - Closing - Beds of 2 10-foot
Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and
Remington Avenue**

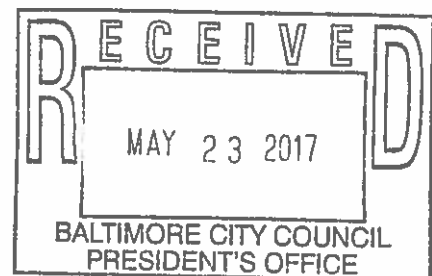
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0040, for the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; and providing for a special effective date.

If enacted, this bill would support the site assembly and construction of Phase I of the Remington Row Planned Unit Development. The properties abutting the alleys are owned by one property owner and the alleys are no longer needed to provide public access.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0040.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



F



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

May 18, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0040 – City Streets – Closing – Beds of 2 10-Foot
Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and
Remington Avenue

Dear Mr. President and City Council Members:

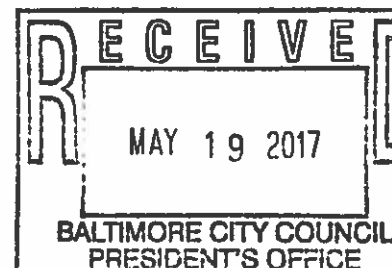
The Law Department has reviewed City Council Bill 17-0040 for form and legal sufficiency. The bill would allow the City to condemn and close the beds of 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation.


Section (34)(a) of Article II of the City Charter grants the Mayor and City Council the power to “construct, open, extend, widen, straighten or close streets, bridges, tunnels or approaches to them and other public ways of every kind within the bounds of the City.” Section 116(b)(2) of Article VII of the City Charter requires the Department of Transportation to prepare all ordinances for the opening and closing of streets. As this bill conforms to the applicable sections of the Charter, the Law Department approves it for form and legal sufficiency.

Sincerely,

Victor K. Tervala
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor



F R O M	NAME & TITLE	Frank J. Murphy, Acting Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0040		

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

May 2, 2017

I am herein reporting on City Council Bill 17-0040 for the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of Department of Transportation; and providing for a special effective date.

The alley closures are for the site assembly and construction of Phase 1 of the Remington Row Planned Unit Development. One entity owns all the abutting property and the alleys are no longer needed for public access.

The Department of Transportation supports this bill.

Thank you for this opportunity to comment.

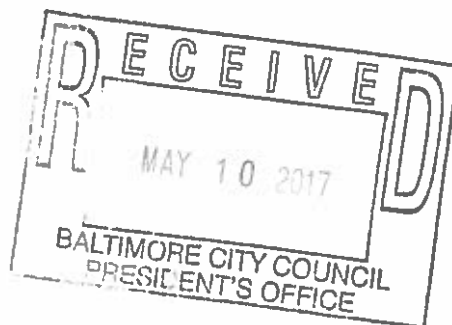
Respectfully,

Lindsay Wines for

Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office




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Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: April 5, 2017

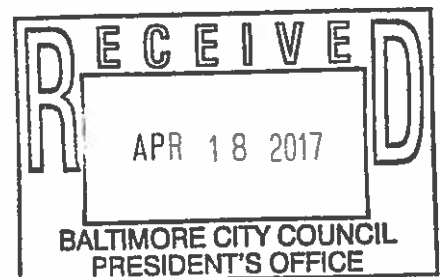
SUBJECT: City Council Bill No. 17-0040
City Streets – Closing – Beds of 2 10-Foot Alleys Bounded by West 27th
Street, Fox Street, West 28th Street, and Remington Avenue

The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0040, City Streets – Closing - Beds of Two (2) 10 Foot Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue. The legislation is necessary for the development of the Miller's Square row house redevelopment project.


BDC supports Council Bill 17-0040 and respectfully requests favorable consideration of this Bill.

cc: Kyron Banks

sandra.blake/ccbill17/17-0040



F

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #17-0040/ BEDS OF TWO 10-FOOT ALLEYS BOUNDED BY WEST 27TH STREET, FOX STREET, WEST 28TH STREET, AND REMINGTON AVENUE		

DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

April 10, 2017

The Department of Planning has been asked to review and consider City Council Bill #17-0040, for the purpose of condemning and closing the beds of two 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; and providing for a special effective date.

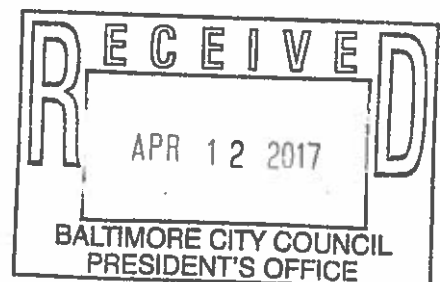
The alley closures are for the site assembly and construction of Phase I of the Remington Row Planned Unit Development. A single owner controls all of the properties abutting the alleys; therefore they are no longer needed to provide public access. On April 7, 2014, the Planning Commission recommended approval of the PUD's establishment as well as closure and condemnation of the subject street beds. The Department of Planning has no objection to the CCB #17-0040 and recommends approval.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Kyron Banks, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC



no obj



HEARING NOTES

Bill: CC 17-0040

Ordinance – City Streets – Closing – Beds of 2 10 Foot Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue

Committee: Housing and Urban Affairs
Chaired By: Councilmember John Bullock

Hearing Date: May 25, 2017
Time (Beginning): 2:21 PM
Time (Ending): 2:30 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: 16
Committee Members in Attendance:
John Bullock Ryan Dorsey
Isaac "Yitzy" Schleifer
Kristerfer Burnett
Sharon Sneed
Zeke Cohen

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Certification of advertising/posting notices in the file?.....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Burnett		
Seconded by:	Councilmember Dorsey		
Final Vote:	Favorable		

Major Speakers
(This is not an attendance record.)

- Patrick Fleming - Department of Transportation
-

CITY OF BALTIMORE

CATHERINE F. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holiday Street
Baltimore, Maryland 21202
410-396-7215 / Fax 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Housing and Urban Affairs

Bill CC 17-0040

Ordinance – City Streets – Closing – Beds of 2 10 Foot Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue

Sponsor: *President Young, (The Administrator)*

Introduced: *March 20, 2017*

Purpose:

For the purpose of condemning and closing the beds of 2 10 foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A- 3021A in the Office of the Department of Transportation; and providing for a special effective date.

Effective: Upon enactment

Hearing Date/Time/Location: May 25, 2017 at 2:10 PM in the Council Chambers

Agency Reports

Planning Commission	No Objection
Department of Transportation	Favorable
Baltimore Development Corporation	Favorable
Department of Law	Favorable
Department of Housing and Community Development	

Analysis

Current Law

Sections 2, 34, and 35 of Article II of the Baltimore City Charter establish a process for disposing of City Property. The final step in the process is enactment of an Ordinance of the Mayor and City Council.

Background

Cc 17-0040 is part of a package of legislation designed to aid construction of the Miller's Square development in the Remington Community of North Baltimore. The Boundaries are generally: 28th Street on the North, 27th Street on the South, Fox Street on the West, and Remington Avenue on the East.

The site contains two small alleys which are no longer in use. The first is approximately 480 Square Feet, and the second approximately 1500 Square Feet. Acquisition will be made by separate Ordinance.

CC 17-0040 condemns and closes the above described parcels.

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill File

Analysis by: Richard G. Krummerich
Analysis Date: 5-23-17

Direct Inquiries to: 410-396-1266

**CITY OF BALTIMORE
COUNCIL BILL 17-0040
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: March 20, 2017
Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street,**
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25 the Northeast side of a 10-foot alley and the Southwest side of another 10-foot
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Council Bill 17-0040

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11 Northwest side of a 10-foot alley and the Northeast side of Fox Street, 20 feet
12 wide, the point of beginning being distant Southeasterly 70.00 feet measured
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18 Remington Avenue, 96 feet wide; thence binding on part of the
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21 Southwest side of Remington Avenue and the Southeast side of the 10-
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23 and binding on the Southeast side of the 10-foot alley;
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Council Bill 17-0040

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2 them, that person must first obtain permission from the Mayor and City Council and, in the
3 application for this permission, must agree to pay all costs and expenses, of every kind, arising
4 out of the removal, alteration, or interference.


5 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
6 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
7 the alleys closed under this Ordinance until all subsurface structures and appurtenances owned by
8 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
9 or, at the expense of the person seeking to erect the building or structure, have been removed and
10 relaid in accordance with the specifications and under the direction of the Director of
11 Transportation of Baltimore City.

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

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

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

Avery

FROM	NAME & TITLE	Kyron Banks, Legislative Liaison <i>KB</i>	CITY OF BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Mayor's Office of Government Relations City Hall, Room 340A		
	SUBJECT	Bill Introduction for the Administration		

DATE: March 15, 2017

TO Avery Aisenstark, Director
Department of Legislative Reference

An Ordinance Concerning:
City Streets – Closing of Certain Alleys

Please prepare the attached for introduction at the City Council meeting scheduled for Monday, March 20, 2017. This bill is introduced at the request of the Administration (Department of Transportation). Please return legislation to this office when completed.

If you have any questions regarding this legislation, please contact Patrick Fleming at 443.865.4492.

cc: Karen Stokes, Director

APPROVED FOR FORM
STYLE, AND TENTATIVE SCHEDULE
3-15-17
DEPT. LEGISLATIVE REFERENCE

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –
Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street,
West 28th Street, and Remington Avenue**

FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Transportation shall proceed to condemn and close the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, and more particularly described as follows:

Beginning for Parcel Number 1 at a point on the 4th or Northeasterly 80-foot line of a parcel of land described in a deed dated August 21st, 2013 by and between AKKQ, LLC and Millers Square, LLC recorded among the Land Records of Baltimore City in Liber FMC 15598, folio 181 located 5.00 feet from the beginning thereof, the point of beginning being also located at the intersection of the Northeast side of a 10-foot alley and the Southwest side of another 10-foot alley; the point of beginning being distant southwesterly 75.00 feet from the southeast side of Remington Avenue (96 feet wide) thence binding on the Northeast side of the 10-foot alley mentioned firstly herein

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

1. Southeasterly 48 feet, more or less, to intersect the 4th or Southwesterly 150 foot line of a parcel of land described in a deed dated June 5th, 2013 by and between Susan L. Lawson and Millers Square, LLC recorded among the Land Records of Baltimore City in Liber FMC 15301, folio 399; thence
2. Southwesterly 10 feet thence;
3. Northwesterly 48 feet, more or less; and thence
4. Northeasterly 10 feet, to the point of beginning.

Containing 480 square feet or 0.011 acres, more or less.

Beginning for Parcel Number 2 at a point formed by the intersection of the Northwest side of a 10-foot alley and the Northeast side of Fox Street, 20 feet wide, the point of beginning being distant Southeasterly 70.00 feet measured along the Northeast side of Fox Street from a point formed by the intersection of the Southeast side of West 28th Street, 66 feet wide, and the Northeast side of Fox Street; thence departing the Northeast side of Fox Street and binding on the Northwest side of the 10-foot alley

1. Northeasterly 150 feet, more or less, to intersect the Southwest side of Remington Avenue, 96 feet wide; thence binding on part of the Southwest side of Remington Avenue;
2. Southeasterly 10 feet, to a point formed by the intersection of the Southwest side of Remington Avenue and the Southeast side of the 10-foot alley; thence departing the Southwest side of Remington Avenue and binding on the Southeast side of the 10-foot alley;
3. Southwesterly 150 feet, more or less, to intersect the Northeast side of Fox Street; thence binding on part of the Northeast side of Fox Street;
4. Northwesterly 10 feet, to the point of beginning.

Containing 1,500 square feet, or 0.034 acres, more or less.

As delineated on Plat 70-A-3021A, prepared by the Survey Section and filed on December 22, 2015, in the Office of the Department of Transportation.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the beds of 2 10-foot alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Transportation and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the

application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

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

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

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

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

100-100-100



100-100-100

ACTION BY THE CITY COUNCIL

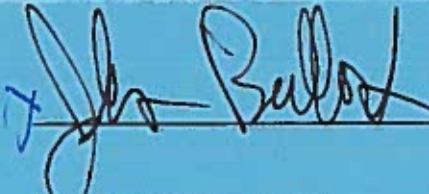
MAR 20 2017
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON MAY 25th _____ 20 17

COMMITTEE REPORT AS OF _____ 20 _____

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION _____



Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

JUN 05 2017
20

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

JUN 12 2017
20

THIRD READING _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

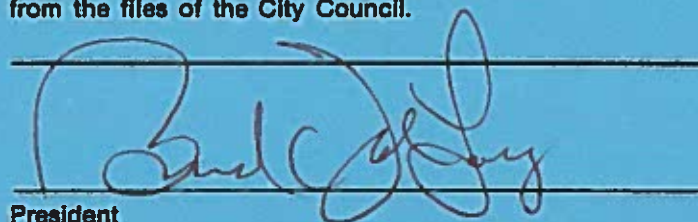
THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

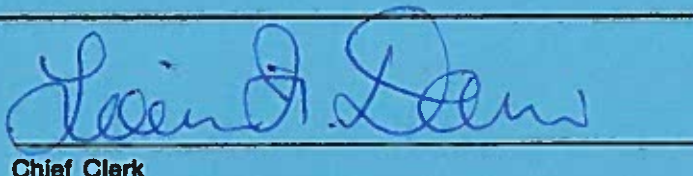
THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.



President



Chief Clerk

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

May 18, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0040 – City Streets – Closing – Beds of 2 10-Foot
Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and
Remington Avenue

Dear Mr. President and City Council Members:

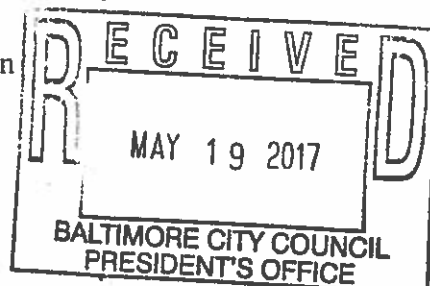
The Law Department has reviewed City Council Bill 17-0040 for form and legal sufficiency. The bill would allow the City to condemn and close the beds of 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation.


Section (34)(a) of Article II of the City Charter grants the Mayor and City Council the power to “construct, open, extend, widen, straighten or close streets, bridges, tunnels or approaches to them and other public ways of every kind within the bounds of the City.” Section 116(b)(2) of Article VII of the City Charter requires the Department of Transportation to prepare all ordinances for the opening and closing of streets. As this bill conforms to the applicable sections of the Charter, the Law Department approves it for form and legal sufficiency.

Sincerely,

Victor K. Tervala
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor



FROM	NAME & TITLE	Frank J. Murphy, Acting Director	CITY of BALTIMORE	M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527			
	SUBJECT	City Council Bill 17-0040			

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

May 2, 2017

I am herein reporting on City Council Bill 17-0040 for the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of Department of Transportation; and providing for a special effective date.

The alley closures are for the site assembly and construction of Phase 1 of the Remington Row Planned Unit Development. One entity owns all the abutting property and the alleys are no longer needed for public access.

The Department of Transportation supports this bill.

Thank you for this opportunity to comment.

Respectfully,

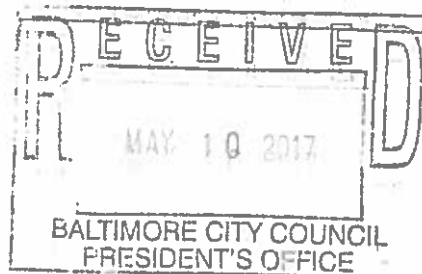
Lindsay Wines for

Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office

F

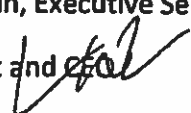




Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: April 5, 2017

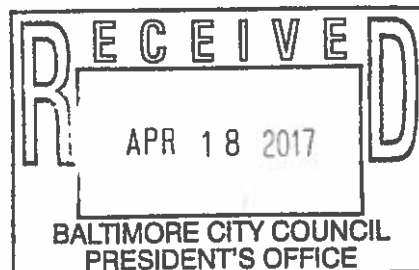
SUBJECT: City Council Bill No. 17-0040
City Streets – Closing – Beds of 2 10-Foot Alleys Bounded by West 27th
Street, Fox Street, West 28th Street, and Remington Avenue


The Baltimore Development Corporation (BDC) has been asked to comment on Council Bill 17-0040, City Streets – Closing - Beds of Two (2) 10 Foot Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue. The legislation is necessary for the development of the Miller's Square row house redevelopment project.

BDC supports Council Bill 17-0040 and respectfully requests favorable consideration of this Bill.

cc: Kyron Banks

sandra.blake/ccbill17/17-0040



FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #17-0040/ BEDS OF TWO 10-FOOT ALLEYS BOUNDED BY WEST 27TH STREET, FOX STREET, WEST 28TH STREET, AND REMINGTON AVENUE		

DATE:

TO

April 10, 2017

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

The Department of Planning has been asked to review and consider City Council Bill #17-0040, for the purpose of condemning and closing the beds of two 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; and providing for a special effective date.

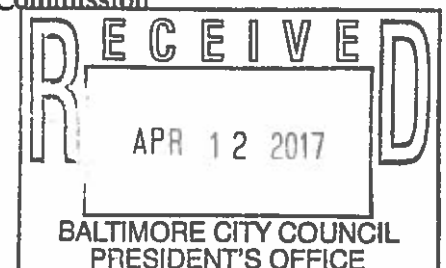
The alley closures are for the site assembly and construction of Phase I of the Remington Row Planned Unit Development. A single owner controls all of the properties abutting the alleys; therefore they are no longer needed to provide public access. On April 7, 2014, the Planning Commission recommended approval of the PUD's establishment as well as closure and condemnation of the subject street beds. The Department of Planning has no objection to the CCB #17-0040 and recommends approval.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Kyron Banks, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC



NO dbj

RECEIVED
CITY OF TAMPA
CITY CLERK'S OFFICE

APPROVED FOR FORM
STYLE, AND LAYOUT CONCERN
3-15-17
DEPT. LEGISLATIVE SERVICES

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL 17-0040

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –
Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street,
West 28th Street, and Remington Avenue**

HUA
Law
Dept. Plann:
HCP
DOT
BDC

FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; and providing for a special effective date.

BY authority of
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Section 4
and
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Sections 2, 34, 35
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THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

1. Southeasterly 48 feet, more or less, to intersect the 4th or Southwesterly 150 foot line of a parcel of land described in a deed dated June 5th, 2013 by and between Susan L. Lawson and Millers Square, LLC recorded among the Land Records of Baltimore City in Liber FMC 15301, folio 399; thence
2. Southwesterly 10 feet thence;
3. Northwesterly 48 feet, more or less; and thence
4. Northeasterly 10 feet, to the point of beginning.

Containing 480 square feet or 0.011 acres, more or less.

Beginning for Parcel Number 2 at a point formed by the intersection of the Northwest side of a 10-foot alley and the Northeast side of Fox Street, 20 feet wide, the point of beginning being distant Southeasterly 70.00 feet measured along the Northeast side of Fox Street from a point formed by the intersection of the Southeast side of West 28th Street, 66 feet wide, and the Northeast side of Fox Street; thence departing the Northeast side of Fox Street and binding on the Northwest side of the 10-foot alley

1. Northeasterly 150 feet, more or less, to intersect the Southwest side of Remington Avenue, 96 feet wide; thence binding on part of the Southwest side of Remington Avenue;
2. Southeasterly 10 feet, to a point formed by the intersection of the Southwest side of Remington Avenue and the Southeast side of the 10-foot alley; thence departing the Southwest side of Remington Avenue and binding on the Southeast side of the 10-foot alley;
3. Southwesterly 150 feet, more or less, to intersect the Northeast side of Fox Street; thence binding on part of the Northeast side of Fox Street;
4. Northwesterly 10 feet, to the point of beginning.

Containing 1,500 square feet, or 0.034 acres, more or less.

As delineated on Plat 70-A-3021A, prepared by the Survey Section and filed on December 22, 2015, in the Office of the Department of Transportation.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the beds of 2 10-foot alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Transportation and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the

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

**CITY OF BALTIMORE
COUNCIL BILL 17-0040
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Department of Transportation)

Introduced and read first time: March 20, 2017

Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street,**
4 **West 28th Street, and Remington Avenue**

5 FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th
6 Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in
7 the Office of the Department of Transportation; and providing for a special effective date.

8 BY authority of

9 Article I - General Provisions
10 Section 4

11 and

12 Article II - General Powers
13 Sections 2, 34, 35
14 Baltimore City Charter
15 (1996 Edition)

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17 Department of Transportation shall proceed to condemn and close the beds of 2 10-foot alleys
18 bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, and more
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21 of a parcel of land described in a deed dated August 21st, 2013 by and between
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23 Baltimore City in Liber FMC 15598, folio 181 located 5.00 feet from the
24 beginning thereof, the point of beginning being also located at the intersection of
25 the Northeast side of a 10-foot alley and the Southwest side of another 10-foot
26 alley; the point of beginning being distant southwesterly 75.00 feet from the
27 southeast side of Remington Avenue (96 feet wide) thence binding on the
28 Northeast side of the 10-foot alley mentioned firstly herein

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0040

- 1 1. Southeasterly 48 feet, more or less, to intersect the 4th or Southwesterly
2 150 foot line of a parcel of land described in a deed dated June 5th,
3 2013 by and between Susan L. Lawson and Millers Square, LLC
4 recorded among the Land Records of Baltimore City in Liber FMC
5 15301, folio 399; thence
- 6 2. Southwesterly 10 feet thence;
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9 Containing 480 square feet or 0.011 acres, more or less.

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12 wide, the point of beginning being distant Southeasterly 70.00 feet measured
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28 As delineated on Plat 70-A-3021A, prepared by the Survey Section and filed on December 22,
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Council Bill 17-0040

1 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
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21 or pay compensation to the owner of the property.

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



**BALTIMORE
HOUSING**

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
Acting Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner

MEB

Date: May 22, 2017

Re: City Council Bill 17-0040 - City Streets – Closing – Beds of 2 10-foot
Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and
Remington Avenue

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0040, for the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; and providing for a special effective date.

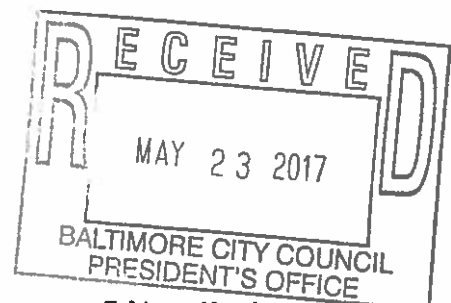
If enacted, this bill would support the site assembly and construction of Phase I of the Remington Row Planned Unit Development. The properties abutting the alleys are owned by one property owner and the alleys are no longer needed to provide public access.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0040.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*

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CodeMap

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**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0040**

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: March 20, 2017
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: June 5, 2017

AN ORDINANCE CONCERNING

1 **City Streets – Closing –**
2 **Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street,**
3 **West 28th Street, and Remington Avenue**

4 FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th
5 Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in
6 the Office of the Department of Transportation; 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 Transportation shall proceed to condemn and close the beds of 2 10-foot alleys
17 bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, and more
18 particularly described as follows:

19 Beginning for Parcel Number 1 at a point on the 4th or Northeasterly 80-foot line
20 of a parcel of land described in a deed dated August 21st, 2013 by and between
21 AKKQ, LLC and Millers Square, LLC recorded among the Land Records of
22 Baltimore City in Liber FMC 15598, folio 181 located 5.00 feet from the
23 beginning thereof, the point of beginning being also located at the intersection of
24 the Northeast side of a 10-foot alley and the Southwest side of another 10-foot
25 alley; the point of beginning being distant southwesterly 75.00 feet from the
26 southeast side of Remington Avenue (96 feet wide) thence binding on the
27 Northeast side of the 10-foot alley mentioned firstly herein

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 1. Southeasterly 48 feet, more or less, to intersect the 4th or Southwesterly
2 150 foot line of a parcel of land described in a deed dated June 5th,
3 2013 by and between Susan L. Lawson and Millers Square, LLC
4 recorded among the Land Records of Baltimore City in Liber FMC
5 15301, folio 399; thence
- 6 2. Southwesterly 10 feet thence;
- 7 3. Northwesterly 48 feet, more or less; and thence
- 8 4. Northeasterly 10 feet, to the point of beginning.

9 Containing 480 square feet or 0.011 acres, more or less.

10 Beginning for Parcel Number 2 at a point formed by the intersection of the
11 Northwest side of a 10-foot alley and the Northeast side of Fox Street, 20 feet
12 wide, the point of beginning being distant Southeasterly 70.00 feet measured
13 along the Northeast side of Fox Street from a point formed by the intersection of
14 the Southeast side of West 28th Street, 66 feet wide, and the Northeast side of Fox
15 Street; thence departing the Northeast side of Fox Street and binding on the
16 Northwest side of the 10-foot alley

- 17 1. Northeasterly 150 feet, more or less, to intersect the Southwest side of
18 Remington Avenue, 96 feet wide; thence binding on part of the
19 Southwest side of Remington Avenue;
- 20 2. Southeasterly 10 feet, to a point formed by the intersection of the
21 Southwest side of Remington Avenue and the Southeast side of the 10-
22 foot alley; thence departing the Southwest side of Remington Avenue
23 and binding on the Southeast side of the 10-foot alley;
- 24 3. Southwesterly 150 feet, more or less, to intersect the Northeast side of
25 Fox Street; thence binding on part of the Northeast side of Fox Street;
- 26 4. Northwesterly 10 feet, to the point of beginning.

27 Containing 1,500 square feet, or 0.034 acres, more or less.

28 As delineated on Plat 70-A-3021A, prepared by the Survey Section and filed on December 22,
29 2015, in the Office of the Department of Transportation.

30 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
31 closing of the beds of 2 10-foot alleys and the rights of all interested parties shall be regulated by
32 and in accordance with all applicable provisions of state and local law and with all applicable
33 rules and regulations adopted by the Director of Transportation and filed with the Department of
34 Legislative Reference.

35 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
36 subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore
37 continue to be the property of the Mayor and City Council, in fee simple, until their use has been

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1 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
2 them, that person must first obtain permission from the Mayor and City Council and, in the
3 application for this permission, must agree to pay all costs and expenses, of every kind, arising
4 out of the removal, alteration, or interference.

5 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
6 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
7 the alleys closed under this Ordinance until all subsurface structures and appurtenances owned by
8 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
9 or, at the expense of the person seeking to erect the building or structure, have been removed and
10 relaid in accordance with the specifications and under the direction of the Director of
11 Transportation of Baltimore City.

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

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

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

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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