

**CITY OF BALTIMORE
COUNCIL BILL 20-0575
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: August 17, 2020
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 **A 13-Foot Alley and a 20-Foot Alley**

4 FOR the purpose of condemning and closing a 13-foot alley, extending from East Biddle Street
5 Northerly 80 feet, to a 20-foot alley; and a 20-foot alley, extending from North Washington
6 Street Easterly 241.5 feet, more or less, laid out in the rear of the properties known as nos.
7 2000 through 2030 East Biddle Street, as shown on Plat 314-B-16A in the Office of the
8 Department of Transportation; and providing for a special effective date.

9 BY authority of
10 Article I - General Provisions
11 Section 4
12 and
13 Article II - General Powers
14 Sections 2, 34, 35
15 Baltimore City Charter
16 (1996 Edition)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Department of Transportation shall proceed to condemn and close a 13-foot alley, extending
19 from East Biddle Street Northerly 80 feet, to a 20-foot alley; and a 20-foot alley, extending from
20 North Washington Street Easterly 241.5 feet, more or less, laid out in the rear of the properties
21 known as nos. 2000 through 2030 East Biddle Street, and more particularly described as follows:

22 Beginning for Parcel 1 at the point formed by the intersection of the east side of a
23 13-foot alley and the north side of East Biddle Street 66 feet wide, the point of
24 beginning being distant 194 feet measured along the north side of East Biddle
25 Street from the intersection of North Chester Street 60 feet wide, and the north
26 side of East Biddle Street; thence binding on the north side of East Biddle Street
27 Westerly 13 feet to the west side of the 13-foot alley; thence binding on the west
28 side of 13-foot alley Northerly 80 feet to intersect the south side of a 20-foot alley;
29 thence binding on the south side of the 20-foot alley Easterly 21.9 feet, more or

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

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1 less, to the easternmost extremity of the 20-foot alley; thence leaving the
2 easternmost extremity of the 20-foot alley Southwesterly 13.4 feet, more or less,
3 to the intersection of the south side of a 10-foot alley and the east side of the 13-
4 foot alley and thence binding on the east side of the 13-foot alley Southerly 70 feet
5 to the place of beginning.

6 Containing 1,085 square feet or 0.0249 acres, more or less.

7 Beginning for Parcel 2 at the point formed by the intersection of the south side of
8 a 20-foot alley and the east side of North Washington Street 60 feet wide, the
9 point of beginning being distant 80 feet measured along the east side of North
10 Washington Street from the intersection of the north side of East Biddle Street 66
11 feet wide, and the east side of North Washington Street; thence binding on the
12 north side of North Washington Street Northerly 20 feet to the north side of a 20-
13 foot alley; thence binding on the north side of the 20-foot alley Easterly 241.5
14 feet, more or less, to the easternmost extremity of the 20-foot alley laid out in the
15 rear of the properties known as nos. 2000 through 2030 East Biddle Street; thence
16 binding on the easternmost extremity of the 20-foot alley Southerly 20 feet to
17 intersect the south side of the 20-foot alley and thence binding on the south side of
18 the 20-foot alley 241.5 feet, more or less, to the place of beginning.

19 Containing 4,830 square feet or 0.1108 acres, more or less.

20 As delineated on Plat 314-B-16A, prepared by the Survey Section and filed on July 17, 2020, in
21 the Office of the Department of Transportation.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
23 closing of the 13-foot alley and the 20-foot alley and the rights of all interested parties shall be
24 regulated by and in accordance with all applicable provisions of state and local law and with all
25 applicable rules and regulations adopted by the Director of Transportation and filed with the
26 Department of Legislative Reference.

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

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

41 **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
42 subsurface structures and appurtenances owned by any person other than the Mayor and City

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1 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon
2 notice to do so from the Director of Public Works.

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

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