

**CITY OF BALTIMORE  
COUNCIL BILL 06-0332  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Public Works)  
Introduced and read first time: February 6, 2006  
Assigned to: Highways and Franchises Subcommittee

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REFERRED TO THE FOLLOWING AGENCIES: Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Transportation, Baltimore Development Corporation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**  
3 **Portland Street**

4 FOR the purpose of condemning and closing Portland Street, extending from Greene Street  
5 Easterly 103.4 feet, more or less, to Washington Boulevard, as shown on Plat 348-A-85 in the  
6 Office of the Department of Public Works; 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 Portland Street, extending from  
17 Greene Street Easterly 103.4 feet, more or less, to Washington Boulevard, and more particularly  
18 described as follows:

19 Beginning for Parcel No. 1 at the point formed by the intersection of the east side  
20 of Greene Street, 66 feet wide, and the north side of Portland Street, 66 feet wide,  
21 and running thence binding on the north side of said Portland Street, Easterly  
22 103.4 feet, more or less, to intersect the northwest side of Washington Boulevard,  
23 50 feet wide; thence binding on the northwest side of said Washington Boulevard,  
24 Southwesterly 118.6 feet, more or less, to intersect the southwest side of said  
25 Portland Street; thence binding on the southwest side of said Portland Street,  
26 Northwesterly by a line curving to the right with a radius of 3.00 feet the distance  
27 of 6.5 feet, more or less, to intersect the east side of said Greene Street, and thence

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

1 binding on the east side of said Greene Street, Northerly 63.0 feet, more or less, to the  
2 place of beginning.

3 As delineated on Plat 348-A-85, prepared by the Survey Control Section and filed on January 11,  
4 2006, in the Office of the Department of Public Works.

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

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

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

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

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

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