

Council Bill 17-0022

1 Albemarle Street; and thence crossing said Duker Alley Southerly 10 feet to the
2 place of beginning.

3 As delineated on Plat 232-A-15A , prepared by the Survey Control Section and filed on February
4 6, 2017, in the Office of the Department of Transportation.

5 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
6 closing of the bed of Duker Alley and the rights of all interested parties shall be regulated by and
7 in accordance with all applicable provisions of state and local law and with all applicable rules
8 and regulations adopted by the Director of Transportation and filed with the Department of
9 Legislative 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
23 Transportation 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 when it is
35 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