

**CITY OF BALTIMORE
COUNCIL BILL 07-0752
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: August 13, 2007
Assigned to: Highways and Franchises Subcommittee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

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

4 FOR the purpose of condemning and closing Water Street, extending from Light Street westerly
5 to the west side of Lovegrove Street, as shown on Plat 346-A-58A in the Office of the
6 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 Water Street, extending from
17 Light Street westerly to the west side of Lovegrove Street, and more particularly described as
18 follows:

19 Beginning for Parcel No. 1 at the point formed by the intersection of the west side
20 of Light Street, 108.5 feet wide, and the south side of Water Street, 10 feet wide,
21 said point of beginning being northerly 81.00 feet measured along the west side of
22 said Light Street from the north side of Lombard Street, 71 feet wide, and running
23 thence binding on the south side of said Water Street, Westerly 115.4 feet, more
24 or less, to intersect the west side of Lovegrove Street, 14 feet wide; thence
25 binding on the west side of Lovegrove Street, Northerly 10.0 feet to intersect the
26 north side of said Water Street; thence binding on the north side of said Water
27 Street, Easterly 115.4 feet, more or less, to intersect the west side of said Light
28 Street, and thence binding on the west side of said Light Street, Southerly 10.0
29 feet to the place of beginning.

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

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1 As delineated on Plat 346-A-58A, prepared by the Survey Control Section and filed on July 27,
2 2007, in the Office of the Department of Public Works.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
4 closing of the 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 Public Works 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 Public
21 Works 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.