

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 13-0183**

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Introduced by: The Council President  
At the request of: The Administration (Department of General Services)  
Introduced and read first time: January 28, 2013  
Assigned to: Housing and Community Development Committee  
Committee Report: Favorable  
Council action: Adopted  
Read second time: March 4, 2013

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**AN ORDINANCE CONCERNING**

**City Streets – Closing –  
Maine Avenue and a 10-Foot Alley**

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3 FOR the purpose of condemning and closing (1) Maine Avenue, extending from Hillsdale Road  
4 northwesterly 236.0 feet, more or less, to Gwynn Oak Avenue and (2) a 10-foot alley laid out  
5 in the rear of the properties known as 4600 through 4612 Maine Avenue, and extending from  
6 Hillsdale Road northwesterly 195.7 feet, more or less, to Gwynn Oak Avenue, as shown on  
7 Plat 106-B-32A in the Office of the Department of General Services; and providing for a  
8 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 General Services shall proceed to condemn and close (1) Maine Avenue,  
19 extending from Hillsdale Road northwesterly 236.0 feet, more or less, to Gwynn Oak Avenue  
20 and (2) a 10-foot alley laid out in the rear of the properties known as 4600 through 4612 Maine  
21 Avenue, and extending from Hillsdale Road northwesterly 195.7 feet, more or less, to Gwynn  
22 Oak Avenue, and more particularly described as follows:

23 Beginning for Parcel No. 1 at the point formed by the intersection of the northeast  
24 side of Maine Avenue, 50 feet wide, and the northwest side of Hillsdale Road, 60  
25 feet wide, and running thence binding on the northwest side of said Hillsdale  
26 Road, Southwesterly 50.0 feet to intersect the southwest side of said Maine  
27 Avenue; thence binding on the southwest side of said Maine Avenue, the two  
28 following courses and distances; namely, Northwesterly 314.8 feet, more or less,

**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 and Northwesterly 173.3 feet, more or less, to intersect the southeast side of  
2 Gwynn Oak Avenue, 85 feet wide; thence binding on the southeast side of said  
3 Gwynn Oak Avenue, Northeasterly by a line curving to the left with a radius of  
4 477.1 feet the distance of 50.1 feet, more or less, to intersect the northeast side of  
5 said Maine Avenue, and thence binding on the northeast side of said Maine  
6 Avenue, the two following courses and distance; namely, Southeasterly 155.9 feet,  
7 more or less, and Southeasterly 300.0 feet, more or less, to the place of beginning.

8 Beginning for Parcel No. 2 at the point formed by the intersection of the northeast  
9 side of a 10-foot alley, laid out in the rear of the properties known as Nos. 4600  
10 through 4612 Maine Avenue and the northwest side of Hillsdale Road, 60 feet  
11 wide, said point of beginning being distant southwesterly 150.0 feet, more or less,  
12 measured along the northwest side of said Hillsdale Road from the southwest side  
13 of Liberty Heights Avenue, 66 feet wide, and running thence binding on the  
14 northwest side of said Hillsdale Road, Southwesterly 10.0 feet to intersect the  
15 southwest side of said 10-foot alley; thence binding on the southwest side of said  
16 10-foot alley, the two following courses and distances; namely, Northwesterly  
17 315.7 feet, more or less, and Northwesterly 77.8 feet, more or less, to intersect the  
18 southeast side of Gwynn Oak Avenue, 85 feet wide; thence binding on the  
19 southeast side of said Gwynn Oak Avenue, Northeasterly by a line curving to the  
20 left with a radius of 477.1 feet the distance of 10.1 feet, more or less, to intersect  
21 the northeast side of said 10-foot alley, and thence binding on the northeast side of  
22 said 10-foot Alley, the two following courses and distances; namely,  
23 Southeasterly 75.2 feet, more or less, and Southeasterly 314.0 feet, more or less,  
24 to the place of beginning.

25 As delineated on Plat 106-B-32A, prepared by the Survey Control Section and filed on  
26 September 27, 2012, in the Office of the Department of General Services.

27 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and  
28 closing of Maine Avenue and the 10-foot alley and the rights of all interested parties shall be  
29 regulated by and in accordance with all applicable provisions of state and local law and with all  
30 applicable rules and regulations adopted by the Director of General Services and filed with the  
31 Department of Legislative Reference.

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

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

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

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

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

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\_\_

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Mayor, Baltimore City