

**CITY OF BALTIMORE  
COUNCIL BILL 10-0514  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of General Services)  
Introduced and read first time: May 24, 2010  
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 General Services, Department of Transportation, Baltimore Development Corporation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**City Streets – Closing –**  
3 style="text-align:center">**Woodall Street and Clemm Street**

4 FOR the purpose of condemning and closing (1) Woodall Street, extending from Fort Avenue,  
5 southwesterly to Clemm Street, and (2) Clemm Street, extending from Key Highway,  
6 southwesterly to the southeasternmost extremity thereof, as shown on Plat 335-A-31B in the  
7 Office of the Department of General Services; and providing for a special effective date.

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

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
17 Department of General Services shall proceed to condemn and close (1) Woodall Street,  
18 extending from Fort Avenue, southwesterly to Clemm Street, and (2) Clemm Street, extending  
19 from Key Highway, southwesterly to the southeasternmost extremity thereof, and more  
20 particularly described as follows:

21 Beginning for Parcel No. 1 at the point formed by the intersection of the  
22 northwest side of Woodall Street, 66 feet wide, and the southwest side of Fort  
23 Avenue, 82.5 feet wide, and running thence binding on the southwest side of said  
24 Fort Avenue, Southeasterly 66.0 feet to intersect the southeast side of said  
25 Woodall Street; thence binding on the southeast side of said Woodall Street,  
26 Southwesterly 415.0 feet, more or less, to intersect the northeast side of Clemm  
27 Street, 66 feet wide; thence binding on the northeast side of said Clemm Street,

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

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1 Northwestly 66.0 feet to intersect the northwest side of said Woodall Street, and  
2 thence binding on the northwest side of said Woodall Street, Northeasterly 415.0  
3 feet, more or less, to the place of beginning.

4 Beginning for Parcel No. 2 at the point formed by the intersection of the southeast  
5 side of Key Highway, 80 feet wide, and the northeast side of Clemm Street, 66  
6 feet wide, and running thence binding on the northeast side of said Clemm Street,  
7 Southeasterly 250.5 feet, more or less, to the southeasternmost extremity of said  
8 Clemm Street; thence binding on the southeasternmost extremity of said Clemm  
9 Street, Southwesterly 66.0 feet to intersect the southwest side of said Clemm  
10 Street; thence binding on the southwest side of said Clemm Street, Northwestly  
11 250.5 feet, more or less, to intersect the southeast side of said Key Highway, and  
12 thence binding on the southeast side of said Key Highway, Northeasterly 66.0 feet  
13 to the place of beginning.

14 As delineated on Plat 335-A-31B, prepared by the Survey Control Section and filed on March  
15 12, 2008, in the Office of the Department of General Services.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
17 closing of Woodall Street and Clemm Street and the rights of all interested parties shall be  
18 regulated by and in accordance with all applicable provisions of state and local law and with all  
19 applicable rules and regulations adopted by the Director of General Services and filed with the  
20 Department of Legislative Reference.

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

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

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

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

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