

**CITY OF BALTIMORE  
COUNCIL BILL 18-0303  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Transportation)  
Introduced and read first time: November 19, 2018  
Assigned to: Housing and Urban Affairs Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**  
3 **A Portion of West Barney Street**

4 FOR the purpose of condemning and closing a portion of West Barney Street, extending Easterly  
5 208 feet, more or less, to the east side of Clarkson Street from the intersection of the south  
6 side of West Barney Street east side of Race Street, as shown on Plat 128-A-36A in the  
7 Office of the Department of Transportation; 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 Transportation shall proceed to condemn and close a portion of West Barney  
18 Street, extending Easterly 208 feet, more or less, to the east side of Clarkson Street from the  
19 intersection of the south side of West Barney Street east side of Race Street, and more  
20 particularly described as follows:

21 Beginning for Parcel No. 1 at the point formed by the intersection of a point offset  
22 16 feet from the south side of West Barney Street 66 feet wide, so projected, and  
23 the east side of Clarkson Street 40 feet wide, so projected, the point of beginning  
24 being distant Westerly 188 feet, more or less, measured along the south side of  
25 West Barney Street from the point formed by the intersection of the south side of  
26 West Barney Street and the west side of South Hanover Street 66 feet wide;  
27 thence binding on the west side of Clarkson Street Southerly 16 feet, to the south  
28 side of West Barney Street; thence binding on the south side of West Barney  
29 Street Westerly 208 feet, more or less, to intersect the east side of Race Street 66

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

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1 feet wide; thence binding on the east side of Race Street Northerly 16 feet, to a  
2 point offset 16 feet from the south side of Barney Street; and thence Easterly 208  
3 feet, more or less, to the place of beginning.

4 Containing 3,328 square feet or 0.076 acres, more or less.

5 As delineated on Plat 128-A-36A, prepared by the Survey Section and filed on October 30, 2018,  
6 in the Office of the Department of Transportation.

7 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and  
8 closing of a portion of West Barney Street and the rights of all interested parties shall be  
9 regulated by and in accordance with all applicable provisions of state and local law and with all  
10 applicable rules and regulations adopted by the Director of Transportation and filed with the  
11 Department of Legislative Reference.

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

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

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

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

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