

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 10-0514

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

Committee Report: Favorable
Council action: Adopted
Read second time: January 10, 2011

AN ORDINANCE CONCERNING

**City Streets – Closing –
Woodall Street and Clemm Street**

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

By authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

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

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

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 thence binding on the northwest side of said Woodall Street, Northeasterly 415.0
2 feet, more or less, to the place of beginning.

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

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

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

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

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

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

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

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