

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 20-0523

Introduced by: The Council President, Councilmember Cohen
At the request of: The Administration (Department of Transportation)
Introduced and read first time: April 27, 2020
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: November 16, 2020

AN ORDINANCE CONCERNING

**City Streets – Closing –
A Portion of West 24th Street**

FOR the purpose of condemning and closing a 13.5 foot wide portion of West 24th Street, as shown on Plat 330-A-27A in the Office of the Department of Transportation; 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 Transportation shall proceed to condemn and close a 13.5 foot wide portion of West 24th Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point on the north side of West 24th Street 66 feet wide, the point of beginning being distant Southwesterly 60.67 feet, more or less, measured along the north side of West 24th Street from the west side of Sisson Street 40 feet wide; thence leaving the north side of West 24th Street for new lines of division the following three courses and distances Southeasterly 13.5 feet, more or less; thence Southwesterly 188.1 feet, more or less; thence Northwesterly 13.5 feet, more or less, to the north side of West 24th Street and thence binding there on Northeasterly 188.1 feet, more or less, to the place of beginning.

Containing 2539.4 square feet or 0.0582 acres, 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 As delineated on Plat 330-A-27A, prepared by the Survey Section and filed on December 16,
2 2019, in the Office of the Department of Transportation.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
4 closing of a 13.5 foot wide portion of West 24th Street and the rights of all interested parties shall
5 be regulated by and in accordance with all applicable provisions of state and local law and with
6 all applicable rules and regulations adopted by the Director of the Department of Transportation
7 and filed with the Department of 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 Baltimore
10 continue to be the property of the Mayor and City Council, in fee simple, until their use has been
11 abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with
12 them, that person must first obtain permission from the Mayor and City Council and, in the
13 application for this permission, must agree to pay all costs and expenses, of every kind, arising
14 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 the
21 Department of Transportation 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 and the Director of Transportation.

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 is
33 enacted.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City