

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 07-0789

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: September 17, 2007
Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable
Council action: Adopted
Read second time: November 19, 2007

AN ORDINANCE CONCERNING

**City Streets – Closing –
Certain Streets and Alleys Lying Within the Area Bounded
by 24th Street, Howard Street, 25th Street, and Maryland Avenue**

FOR the purpose of condemning and closing certain streets and alleys lying within the area bounded by 24th Street, Howard Street, 25th Street, and Maryland Avenue, as shown on Plat 296-A-6E in the Office of the Department of Public Works; 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 Public Works shall proceed to condemn and close certain streets and alleys lying within the area bounded by 24th Street, Howard Street, 25th Street, and Maryland Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the north side of 24th Street, 66 feet wide, and the west side of Mace Street, 20 feet wide, and running thence binding on the west side of said Mace Street, Northerly 465.0 feet, more or less, to intersect the south side of 25th Street, 100 feet wide; thence binding on the south side of said 25th Street, Easterly 20.0 feet to intersect the east side of said Mace Street; thence binding on the east side of said Mace Street, Southerly 465.0 feet, more or less, to intersect the north side of said 24th Street, and thence binding on the north side of said 24th Street, Westerly 20.0 feet to the place of beginning.

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.

Council Bill 07-0789

1 Beginning for Parcel No. 2 at the point formed by the intersection of the north
2 side of 24th Street, 66 feet wide, and the east side of a 10 foot alley laid out in the
3 rear of the properties formerly known as Nos. 2400 through 2424 Maryland
4 Avenue, said point of beginning being distant westerly 84.0 feet, more or less,
5 measured along the north side of said 24th Street from the west side of Maryland
6 Avenue, 66 feet wide, and running thence binding on the north side of said 24th
7 Street, Westerly 10.0 feet to intersect the west side of said 10 foot alley; thence
8 binding on the west side of said 10 foot alley, Northerly 184.0 feet, more or less,
9 to the northernmost extremity of said 10 foot alley; thence binding on the
10 northernmost extremity of said 10 foot alley, Easterly 10.0 feet to intersect the
11 east side of said 10 foot alley, and thence binding of the east side of said 10 foot
12 alley, Southerly 184.0 feet, more or less, to the place of beginning.

13 Beginning for Parcel No. 3 at the point formed by the intersection of the south
14 side of a 12 foot to varying in width alley laid out along the northern outline of
15 the property known as No. 2403/17 Mace Street, and the east side of Mace Street,
16 20 feet wide, said point of beginning being northerly 172.0 feet, more or less,
17 measured along the east side of said Mace Street from the north side of 24th
18 Street, 66 feet wide, and running thence binding on the east side of said Mace
19 Street, Northerly 12.0 feet to intersect the north side of said 12 foot to varying in
20 width alley; thence binding on the north side of said 12 foot to varying in width
21 alley, Easterly 56.0 feet, more or less, to intersect the west side of a 10 foot alley
22 laid out in the rear of the properties formerly known as Nos. 2400 through 2424
23 Maryland Avenue; thence binding on the west side of said 10 foot alley,
24 Southerly 22.0 feet, more or less, to intersect the southeast side of said 12 foot to
25 varying in width alley; thence binding on the southeast side of said 12 foot to
26 varying in width alley, Northwesterly 14.1 feet, more or less, to the south side of
27 said 12 foot to varying in width alley, and thence binding on the south side of said
28 12 foot to varying in width alley, Westerly 46.0 feet, more or less, to the place of
29 beginning.

30 Beginning for Parcel No. 4 at the point formed by the intersection of the south
31 side of a 10 foot alley laid out in the rear of the property known as No. 102 W.
32 24th Street, and the east side of Mace Street, 20 feet wide, said point of beginning
33 being distant northerly 65.0 feet, more or less, measured along the east side of
34 said Mace Street from the north side of 24th Street, 66 feet wide, and running
35 thence binding on the east side of said Mace Street, Northerly 10.0 feet to
36 intersect the north side of said 10 foot alley; thence binding on the north side of
37 said 10 foot alley, Easterly 56.0 feet, more or less, to intersect the west side of a
38 10 foot alley laid out in the rear of the properties formerly known as Nos. 2400
39 through 2424 Maryland Avenue; thence binding on the west side of said 10 foot
40 alley, mentioned secondly herein, Southerly 10.0 feet to intersect the south side of
41 said 10 foot alley, mentioned firstly herein, and thence binding on the south side
42 of said 10 foot alley, mentioned firstly herein, Westerly 56.0 feet, more or less, to
43 the place of beginning.

44 As delineated on Plat 296-A-6E, prepared by the Survey Control Section and filed on September
45 7, 2007, in the Office of the Department of Public Works.

Council Bill 07-0789

1 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
2 closing of the streets and alleys and the rights of all interested parties shall be regulated by and in
3 accordance with all applicable provisions of state and local law and with all applicable rules and
4 regulations adopted by the Director of Public Works and filed with the Department of
5 Legislative Reference.

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

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

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

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

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

Council Bill 07-0789

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