

**CITY OF BALTIMORE**  
**COUNCIL BILL 22-0244**  
**(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: June 13, 2022  
Assigned to: Economic and Community Development 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 – Three 10 Foot Alleys**

3 FOR the purpose of condemning and closing: (1) a ten foot alley, extending from the  
4 northwest side of Virginia Avenue Northwesterly 397 feet more or less, to the southeast side  
5 of Woodland Avenue; (2) a ten foot alley extending from the northeast side of Homer  
6 Avenue Northeasterly 150 feet more or less, to the southwest side of a ten foot alley; and (3)  
7 a ten foot alley extending from the southeast side of Virginia Avenue Southwesterly 290.7  
8 feet more or less, to the northwest side of a fifteen foot alley , as shown on a plat numbered  
9 315-A-28A and filed in the Department of Transportation; and providing for a special  
10 effective date.

11 BY authority of  
12 Article I - General Provisions  
13 Section 4  
14 and  
15 Article II - General Powers  
16 Sections 2, 34, 35  
17 Baltimore City Charter  
18 (1996 Edition)

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
20 Department of Transportation shall proceed to condemn and close: (1) a ten foot alley extending  
21 from the northwest side of Virginia Avenue Northwesterly 397 feet more or less, to the southeast  
22 side of Woodland Avenue; (2) a ten foot alley extending from the northeast side of Homer  
23 Avenue Northeasterly 150 feet more or less, to the southwest side of a ten foot alley; and (3) a  
24 ten foot alley extending from the southeast side of Virginia Avenue Southwesterly 290.7 feet  
25 more or less, to the northwest side of a fifteen foot alley and more particularly described as  
26 follows:

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

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1 Beginning for Parcel 1 at the point formed by the intersection of the northwest side  
2 of Virginia Avenue, 50 feet wide, and the southwest side of a 10 foot alley, said point  
3 of beginning being distant Northeasterly 150 feet, more or less, measured along the  
4 northwest side of said Virginia Avenue from the point formed the northeast side of  
5 Homer Avenue, 50 feet wide, to the southwest side of said 10 foot alley; thence  
6 binding on the southwest side of said 10 foot alley Northwesterly 397 feet, more or  
7 less, to the southeast side of Woodland Avenue 50 feet wide; thence binding on the  
8 southeast side of said Woodland Avenue, Northeasterly 10.0 feet to the northeast side  
9 of said 10 foot alley; thence binding on the northeast side of said 10 foot alley  
10 Southeasterly 397 feet, more or less, to intersect the northwest side of said Virginia  
11 Avenue and thence binding on the northwest side of said Virginia Avenue,  
12 Southwesterly 10 feet to the point of beginning, Block 4621.

13 Containing 3,970 square feet or 0.091 acres more or less.

14 Beginning for Parcel 2 at the point formed by the intersection of the northeast side  
15 of Homer Avenue, 50 feet wide, and the northeast side of a 10 foot alley, said point  
16 of beginning being distant Southeasterly 115 feet, more or less, measured along the  
17 northeast side of said Homer Avenue from the southeast side of Woodland Avenue  
18 50 feet wide; thence leaving the northeast side of said Homer Avenue, Northeasterly  
19 150 to intersect the southwest side of said 10 foot alley; thence binding on the  
20 southwest side of said 10 foot alley, Southeasterly 10 feet to the southeast side of said  
21 alley; thence binding on the southeast side of said alley, Southwesterly 150 feet to  
22 intersect northeast side of said Homer Avenue and thence binding on the northeast  
23 side of said Homer Avenue, Northwesterly 10 feet to the point of beginning, Block  
24 4621.

25 Containing 1,500 square feet or 0.034 acres more or less.

26 Beginning for Parcel 3 at the point formed by the intersection of the southwest side  
27 of a 10 foot alley and southeast side of Virginia Avenue, 50 feet wide, said point of  
28 beginning being distant Northeasterly 150 feet, more or less, measured along the  
29 southwest side of said Virginia Avenue from the northeast side of said Homer  
30 Avenue; thence binding on the northeast side of said Virginia Avenue, Northeasterly  
31 10 feet to the northeast side of said 10 foot alley; thence binding on the northeast side  
32 of said 10 foot alley, Southeasterly 290.7 feet, more or less, to intersect the northwest  
33 side of a 15 foot alley; thence binding on the northwest side of said 15 foot alley,  
34 Northwesterly 10.0 feet to southwest side of said 10 foot alley and thence binding on  
35 the southwest side of said 10 foot alley, Northwesterly 290.7, feet more or less, to the  
36 point of beginning, Block 3301.

37 Containing 2,907 square feet or 0.067 acres more or less.

38 As delineated on a plat numbered 315-A28A prepared by the Survey Control Section and filed on  
39 March 17, 2022 in the Office of the Department of Transportation.

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1       **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
2 closing of: (1) a ten foot alley extending from the northwest side of Virginia Avenue  
3 Northwesterly 397 feet more or less, to the southeast side of Woodland Avenue; (2) a ten foot  
4 alley extending from the northeast side of Homer Avenue Northeasterly 150 feet more or less, to  
5 the southwest side of a ten foot alley; and (3) a ten foot alley extending from the southeast side of  
6 Virginia Avenue Southwesterly 290.7 feet more or less, to the northwest side of a 15 foot alley  
7 and the rights of all interested parties shall be regulated by and in accordance with all applicable  
8 provisions of state and local law and with all applicable rules and regulations adopted by the  
9 Director of Transportation and filed with the Department of Legislative Reference.

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

17       **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind  
18 (including but not limited to railroad tracks) may be constructed or erected in or on any part of:  
19 (1) a ten foot alley extending from the northwest side of Virginia Avenue Northwesterly 397 feet  
20 more or less, to the southeast side of Woodland Avenue; (2) a ten foot alley extending from the  
21 northeast side of Homer Avenue Northeasterly 150 feet more or less, to the southwest side of a  
22 ten foot alley; and (3) a ten foot alley extending from the southeast side of Virginia Avenue  
23 Southwesterly 290.7 feet more or less, to the northwest side of a fifteen foot alley, closed under  
24 this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City  
25 Council of Baltimore have been abandoned by the Mayor and City Council or, have been  
26 removed and relaid in accordance with the specifications and under the direction of the Director  
27 of Transportation of Baltimore City and at the expense of the person seeking to erect the building  
28 or structure.

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

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

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