

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 08-0128**

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Introduced by: The Council President  
At the request of: The Administration (Department of Public Works)  
Introduced and read first time: June 2, 2008  
Assigned to: Highways and Franchises Subcommittee

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Committee Report: Favorable  
Council action: Adopted  
Read second time: October 27, 2008

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**AN ORDINANCE CONCERNING**

**City Streets – Closing –  
2 10-foot Alleys**

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3 FOR the purpose of condemning and closing (1) a 10-foot alley laid out in the rear of the property  
4 known as No. 2320/2340 N. Calvert Street and (2) a 10-foot alley laid out in the rear of the  
5 properties known as Nos. 111 and 113 E. 24th Street, as shown on Plat 346-A-61A in the  
6 Office of the Department of Public Works; and providing for a special effective date.

7 BY authority of  
8 Article I - General Provisions  
9 Section 4  
10 and  
11 Article II - General Powers  
12 Sections 2, 34, 35  
13 Baltimore City Charter  
14 (1996 Edition)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
16 Department of Public Works shall proceed to condemn and close (1) a 10-foot alley laid out in  
17 the rear of the property known as No. 2320/2340 N. Calvert Street and (2) a 10-foot alley laid  
18 out in the rear of the properties known as Nos. 111 and 113 E. 24th Street, and more particularly  
19 described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the south  
21 side of 24th Street, 66 feet wide, and the east side of a 10-foot alley laid out in the  
22 rear of the property known as No. 2320/2340 N. Calvert Street, said point of  
23 beginning being distant westerly 85.0 feet measured along the south side of said  
24 24th Street from the west side of Calvert Street, 60 feet wide, and running thence  
25 binding on the east side of said 10-foot alley, Southerly 91.3 feet, more or less, to  
26 intersect the north side of a 10-foot alley, laid out in the rear of the properties  
27 known as Nos. 111 and 113 E. 24th Street; thence binding on the north side of last  
28 said 10-foot alley, Westerly 10.0 feet to intersect the west side of said 10-foot

**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 alley, mentioned firstly herein; thence binding on the west side of said 10-foot  
2 alley, mentioned firstly herein, Northerly 91.3 feet, more or less, to intersect the  
3 south side of said 24th Street, and thence binding on the south side of said 24th  
4 Street, Easterly 10.0 feet to the place of beginning.

5 Beginning for Parcel No. 2 at the point formed by the intersection of the east side  
6 of Hargrove Alley, 20 feet wide, and the north side of a 10-foot alley laid out in  
7 the rear of the properties known as Nos. 111 and 113 E. 24th Street, said point of  
8 beginning being distant southerly 91.3 feet, more or less, measured along the east  
9 side of said Hargrove Alley from the south side of 24th Street, 66 feet wide, and  
10 running thence binding on the north side of said 10-foot alley, Easterly 38.0 feet,  
11 more or less, to the easternmost extremity of said 10-foot alley; thence binding on  
12 the easternmost extremity of said 10-foot alley, Southerly 10.0 feet to intersect the  
13 south side of said 10-foot alley; thence binding on the south side of said 10-foot  
14 alley, Westerly 38.0 feet, more or less, to intersect the east side of said Hargrove  
15 Alley, and thence binding on the east side of said Hargrove Alley, Northerly 10.0  
16 feet to the place of beginning.

17 As delineated on Plat 346-A-61A, prepared by the Survey Control Section and filed on April 23,  
18 2008 in the Office of the Department of Public Works.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
20 closing of the 10-foot alleys and the rights of all interested parties shall be regulated by and in  
21 accordance with all applicable provisions of state and local law and with all applicable rules and  
22 regulations adopted by the Director of Public Works and filed with the Department of  
23 Legislative Reference.

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

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

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

42 **SECTION 6. AND BE IT FURTHER ORDAINED,** That at all times after the closing under this  
43 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized  
44 representatives, shall have access to the subject property and to all subsurface structures and

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1 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining,  
2 repairing, altering, relocating, or replacing any of them, without need to obtain permission from  
3 or pay compensation to the owner of the property.

4 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
5 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\_\_

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Mayor, Baltimore City