

**CITY OF BALTIMORE
COUNCIL BILL 08-0128
(First Reader)**

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

REFERRED TO THE FOLLOWING AGENCIES: Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**
3 **2 10-foot Alleys**

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

8 By authority of
9 Article I - General Provisions
10 Section 4
11 and
12 Article II - General Powers
13 Sections 2, 34, 35
14 Baltimore City Charter
15 (1996 Edition)

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

21 Beginning for Parcel No. 1 at the point formed by the intersection of the south
22 side of 24th Street, 66 feet wide, and the east side of a 10-foot alley laid out in the
23 rear of the property known as No. 2320/2340 N. Calvert Street, said point of
24 beginning being distant westerly 85.0 feet measured along the south side of said
25 24th Street from the west side of Calvert Street, 60 feet wide, and running thence
26 binding on the east side of said 10-foot alley, Southerly 91.3 feet, more or less, to
27 intersect the north side of a 10-foot alley, laid out in the rear of the properties
28 known as Nos. 111 and 113 E. 24th Street; thence binding on the north side of last
29 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.

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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.