

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 18-0283**

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Introduced by: The Council President  
At the request of: The Administration (Department of Transportation)  
Introduced and read first time: September 17, 2018  
Assigned to: Housing and Urban Affairs Committee  
Committee Report: Favorable  
Council action: Adopted  
Read second time: January 14, 2019

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**AN ORDINANCE CONCERNING**

**City Streets – Closing – A 10-Foot Alley Bounded by  
North Howard Street, West 24<sup>th</sup> Street, Mace Street, and West 23<sup>rd</sup> Street**

FOR the purpose of condemning and closing a 10-foot alley bounded by North Howard Street, West 24<sup>th</sup> Street, Mace Street, and West 23<sup>rd</sup> Street, as shown on Plat 105-B-50A 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 10-foot alley bounded by North Howard Street, West 24<sup>th</sup> Street, Mace Street, and West 23<sup>rd</sup> Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of North Howard Street 66 feet wide, and the south side of a 10-foot alley, the point of beginning being distant Northerly 100.0 feet, more or less, measured along the east side of North Howard Street from the point formed by the intersection of the east side of North Howard Street and the north side of West 23<sup>rd</sup> Street 66 feet wide; thence crossing the 10-foot alley, Northerly 10.0 feet; thence departing from the east side of North Howard Street and binding on the north side of the 10-foot alley, Easterly 150.0 feet, more or less, to intersect the west side of Mace Street 20 feet wide; thence crossing the 10-foot alley, Southerly 10.0 feet; thence departing from the west side of Mace Street and binding on the

**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 18-0283**

1 south side of the 10-foot alley, Westerly 150.0 feet, more or less, to the point of  
2 beginning.

3 Containing 1,500 square feet or 0.034 acres of land, more or less.

4 As delineated on Plat 105-B-50A, prepared by the Survey Section and filed on April 17, 2018, in  
5 the Office of the Department of Transportation.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
7 closing of the 10-foot alley and the rights of all interested parties shall be regulated by and in  
8 accordance with all applicable provisions of state and local law and with all applicable rules and  
9 regulations adopted by the Director of Transportation and filed with the Department of  
10 Legislative Reference.

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

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

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

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

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

**Council Bill 18-0283**

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