

CITY OF BALTIMORE
ORDINANCE **20.371**
Council Bill 19-0436

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: September 9, 2019
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: June 15, 2020

AN ORDINANCE CONCERNING

**City Streets – Closing –
Three 10-Foot Alleys**

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3 FOR the purpose of condemning and closing (1) a 10-foot alley extending from the west side of
4 Delaware Avenue Southwesterly 128.5 feet, more or less, (2) a 10-foot alley extending from
5 the northwest side of Virginia Avenue Northwesterly 395.0 feet, more or less, to the
6 southeast side of Woodland Avenue, and (3) a 10-foot alley extending from the west side of
7 Delaware Avenue Southwesterly 198.5 feet, more or less, as shown on Plat 298-A-17A in the
8 Office of the Department of Transportation; and providing for a special effective date.

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

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Department of Transportation shall proceed to condemn and close (1) a 10-foot alley extending
19 from the west side of Delaware Avenue Southwesterly 128.5 feet, more or less, (2) a 10-foot
20 alley extending from the northwest side of Virginia Avenue Northwesterly 395.0 feet, more or
21 less, to the southeast side of Woodland Avenue, and (3) a 10-foot alley extending from the west
22 side of Delaware Avenue Southwesterly 198.5 feet, more or less, and more particularly described
23 as follows:

24 Beginning for Parcel No. 1 at the point formed by the intersection of the west side
25 of Delaware Avenue 50 feet wide, and the southeast side of a 10-foot alley, the
26 point of beginning being distant Northwesterly 100 feet, more or less, measured
27 along the west side of Delaware Avenue from the point formed by the intersection
28 of the west side of Delaware Avenue and the northwest side of Virginia Avenue

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 50 feet wide; thence binding on the southeast side of the 10-foot alley
2 Southwesterly 128.5 feet, more or less, to intersect the northeast side of another
3 10-foot alley; thence binding on the northeast side of the 10-foot alley secondly
4 mentioned herein Northwesterly 10.0 feet to intersect the northwest side of the 10-
5 foot alley firstly mentioned herein; thence binding on the northwest side of the 10-
6 foot alley firstly mentioned herein, Northeasterly 132.1 feet, more or less, to
7 intersect the west side of Delaware Avenue; and thence binding on the west side
8 of Delaware Avenue Southeasterly 10.6 feet, more or less, to the point of
9 beginning.

10 Containing 1,303 square feet or 0.030 acres of land, more or less.

11 Beginning for Parcel No. 2 at the point formed by the intersection of the northwest
12 side of Virginia Avenue 50 feet wide, and the southwest side of a 10-foot alley,
13 the point of beginning being distant Northeasterly 170 feet, more or less,
14 measured along the northwest side of Virginia Avenue from the point formed by
15 the intersection of the northwest side of Virginia Avenue and the northeast side of
16 Park Heights Avenue 85 feet wide; thence binding on the southwest side of the
17 10-foot alley Northwesterly 395.0 feet, more or less, to intersect the southeast side
18 of Woodland Avenue 50 feet wide; thence binding on the southeast side of
19 Woodland Avenue Northeasterly 10.0 feet to intersect northeast side of the 10-
20 foot alley; thence binding on the northeast side of the 10-foot alley Southeasterly
21 395.0 feet, more or less, to intersect the northwest side of Virginia Avenue and
22 thence binding on the northwest side of Virginia Avenue Southwesterly 10.0 feet
23 to the point of beginning.

24 Containing 3,950 square feet or 0.091 acres of land, more or less.

25 Beginning for Parcel No. 3 at the point formed by the intersection of the west side
26 of Delaware Avenue 50 feet wide, and the northwest side of a 10-foot alley, the
27 point of beginning being distant Southeasterly 100 feet, more or less, measured
28 along the west side of Delaware Avenue from the point formed by the intersection
29 of the west side of Delaware Avenue and the southeast side of Woodland Avenue
30 50 feet wide; thence binding on the west side of Delaware Avenue Southerly 10.6
31 feet, more or less, to intersect the southeast side of the 10-foot alley; thence
32 binding on the southeast side of the 10-foot alley Southwesterly 198.5 feet to
33 another 10-foot alley; thence binding on the northeast side of the 10-foot alley
34 secondly mentioned herein Northwesterly 10.0 feet to intersect the northwest side
35 of the 10-foot alley firstly mentioned herein and thence binding on the northwest
36 side of the 10-foot alley firstly mentioned herein Northeasterly 202.2 feet, more or
37 less, to the point of beginning.

38 Containing 2,002 square feet or 0.046 acres of land, more or less.

39 As delineated on Plat 298-A-17A, prepared by the Survey Section and filed on March 26, 2019,
40 in the Office of the Department of Transportation.

41 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
42 closing of the 3 10-foot alleys and the rights of all interested parties shall be regulated by and in
43 accordance with all applicable provisions of state and local law and with all applicable rules and

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1 regulations adopted by the Director of Transportation and filed with the Department of
2 Legislative Reference.

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

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


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

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

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

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Certified as duly passed this 22 day of June, 2020



President, Baltimore City Council

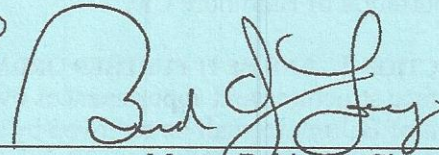
Certified as duly delivered to His Honor, the Mayor,

this 22 day of June, 2020



Chief Clerk

Approved this 25 day of June, 2020



Mayor, Baltimore City

Approved for form and legal sufficiency
this 25 day of June, 2020.



Chief Solicitor