

CITY OF BALTIMORE
COUNCIL BILL 18-0281
(First Reader)

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

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**City Streets – Closing –**
3 style="text-align:center">**A Portion of South Washington Street**

4 FOR the purpose of condemning and closing a portion of South Washington Street, extending
5 from Aliceanna Street southerly 90 feet to the southernmost extremity of it, as shown on Plat
6 344-A-60A in the Office of the Department of Transportation; and providing for a special
7 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 Transportation shall proceed to condemn and close a portion of South Washington
18 Street, extending from Aliceanna Street southerly 90 feet to the southernmost extremity of it, and
19 more particularly described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the west side
21 of South Washington Street 70 feet wide, and the south side of Aliceanna Street
22 70 feet wide, the point of beginning being distant Easterly 300.0 feet, more or
23 less, measured along the south side of Aliceanna Street from the point formed by
24 the intersection of the south side of Aliceanna Street and the east side of South
25 Wolfe Street 60 feet wide; thence crossing South Washington Street Easterly 70.0
26 feet to intersect the east side of South Washington Street; thence departing from
27 the south side of Aliceanna Street and binding on the east side of South
28 Washington Street Southerly 90.0 feet, more or less, to the southernmost
29 extremity of it; thence binding on the southernmost extremity of South

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

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1 Washington Street Westerly 70.0 feet to the west side of South Washington
2 Street; thence binding on the west side of South Washington Street Northerly 90.0
3 feet, more or less, to the point of beginning.

4 Containing 6,300 square feet or 0.145 acres of land, more or less.

5 As delineated on Plat 344-A-60A, prepared by the Survey Section and filed on April 20, 2018, in
6 the Office of the Department of Transportation.

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

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

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

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

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

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