

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0723

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: July 18, 2011
Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable
Council action: Adopted
Read second time: October 17, 2011

AN ORDINANCE CONCERNING

**City Streets – Closing –
Certain Alleys Bounded by Riverside Road, Levin Road, and Meadow Road**

FOR the purpose of condemning and closing certain alleys bounded by Riverside Road, Levin Road, and Meadow Road, as shown on Plat 347-A-74A in the Office of the Department of General Services; 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 Public Works shall proceed to condemn and close certain alleys bounded by Riverside Road, Levin Road, and Meadow Road, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Riverside Road, 50 feet wide, and the northwest side of a 10-foot alley laid out in the rear of the property known as No. 121 Riverside Road, said point of beginning being distant easterly 141.7 feet, more or less, measured along the south side of said Riverside Road from the southeast side of said Riverside Road, and running thence binding on the south side of said Riverside Road Easterly 11.4 feet, more or less, to intersect the southeast side of said 10-foot alley; thence binding on the southeast side of said 10-foot alley Southwesterly 147.2 feet, more or less, to intersect the line of the southwest side of a 10-foot alley laid out contiguous to the southwest outline of the parcel of land known as Lot 36 of Block 7027D, if projected northwesterly; thence binding on said line, so projected, Northwesterly 10.0 feet to intersect the northwest 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, and thence binding on the northwest side of said
2 10-foot alley, mentioned firstly herein, Northeasterly 141.8 feet, more or less, to
3 the place of beginning.

4 Beginning for Parcel No. 2 at a point on the north side of a 10-foot alley laid out
5 in the rear of the properties known as Nos. 111 and 115 Riverside Road, said
6 point of beginning being distant westerly 160.0 feet, more or less, measured along
7 the north side of said 10-foot alley from the west side of Levin Road, 40 feet
8 wide, and running thence binding on the line of the east outline of the property
9 known as No. 111 Riverside Road, if projected southerly, Southerly 10.0 feet to
10 intersect the south side of said 10-foot alley; thence binding on the south side of
11 said 10-foot alley Westerly 254.3 feet, more or less, to intersect the northeast side
12 of a 10-foot alley laid out contiguous to the southwest outline of the parcel of land
13 known as Lot 36 of Block 7029D; thence binding on the northeast side of last said
14 10-foot alley, Northwesterly 21.2 feet, more or less, to intersect the north side of
15 said 10-foot alley, mentioned firstly herein, and thence binding on the north side
16 of said 10-foot alley, mentioned firstly herein, Easterly 273.0 feet, more or less, to
17 the place of beginning.

18 Beginning for Parcel No. 3 at the point formed by the intersection of the
19 southwest side of a 10-foot alley laid out contiguous to the southwest outline of
20 the parcel of land known as Lot 36 of Block 7027D and the line of the northwest
21 side of a 10-foot alley laid out 125.0 feet, more or less, northwest of Levin Road,
22 40 feet wide, if projected southwesterly, said point of beginning being distant
23 northwesterly 135.0 feet, more or less, measured along the southwest side of said
24 10 foot alley, mentioned firstly herein, from the northwest side of said Levin
25 Road, and running thence binding on the southwest side of said 10-foot alley,
26 mentioned firstly herein, Northwesterly 265.0 feet, more or less, to intersect the
27 southeast side of a 10-foot alley laid out in the rear of the property known as No.
28 121 Riverside Road; thence binding on the southeast side of last said 10-foot
29 alley, Northeasterly 10.0 feet to intersect the northeast side of said 10-foot alley,
30 mentioned firstly herein; thence binding on the northeast side of said 10-foot
31 alley, mentioned firstly herein, Southeasterly 265.0 feet, more or less, to intersect
32 the line of the northwest side of said 10-foot alley, mentioned secondly herein, so
33 projected, and thence binding on the line of the northwest side of said 10-foot
34 alley, mentioned secondly herein, Southwesterly 10.0 feet to the place of
35 beginning.

36 As delineated on Plat 347-A-74A, prepared by the Survey Control Section and filed on
37 September 22, 2010, in the Office of the Department of General Services.

38 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
39 closing of certain alleys and the rights of all interested parties shall be regulated by and in
40 accordance with all applicable provisions of state and local law and with all applicable rules and
41 regulations adopted by the Director of General Services and filed with the Department of
42 Legislative Reference.

43 **SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all
44 subsurface structures and appurtenances now owned by the Mayor and City Council of
45 Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their
46 use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or

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1 interfere with them, that person must first obtain permission from the Mayor and City Council
2 and, in the application for this permission, must agree to pay all costs and expenses, of every
3 kind, arising out of the removal, alteration, or interference.

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

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

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

21 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
22 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__

Mayor, Baltimore City