

**CITY OF BALTIMORE
COUNCIL BILL 07-0772
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: September 17, 2007
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 style="text-align:center">**City Streets – Closing –**
3 style="text-align:center">**Dallas Street and a 2.5 Foot Wide Alley**

4 FOR the purpose of condemning and closing (1) Dallas Street, extending from Fleet Street
5 southerly to Aliceanna Street and (2) a 2.5 foot wide alley laid out in the rear of the
6 properties known as 1508 through 1514 Aliceanna Street, extending from Dallas Street
7 easterly to its easternmost extremity, and lying within the Fells Point Urban Renewal Project,
8 as shown on Plat 346-A-59 in the Office of the Department of Public Works; and providing
9 for a special effective date.

10 BY authority of
11 Article I - General Provisions
12 Section 4
13 and
14 Article II - General Powers
15 Sections 2, 34, 35
16 Baltimore City Charter
17 (1996 Edition)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
19 Department of Public Works shall proceed to condemn and close (1) Dallas Street, extending
20 from Fleet Street southerly to Aliceanna Street and (2) a 2.5 foot wide alley laid out in the rear of
21 the properties known as 1508 through 1514 Aliceanna Street, extending from Dallas Street,
22 easterly to its easternmost extremity, and lying within the Fells Point Urban Renewal Project,
23 and more particularly described as follows:
24

25 Beginning for Parcel No. 1 at the point formed by the intersection of the west side
26 of Dallas Street, 20 feet wide, and the south side of Fleet Street, 70 feet wide, and
27 running thence binding on the south side of said Fleet Street, Easterly 20.0 feet to
28 intersect the east side of said Dallas Street; thence binding on the east side of said
29 Dallas Street, Southerly 303.7 feet, more or less, to intersect the north side of

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

Council Bill 07-0772

1 Aliceanna Street, 70 feet wide; thence binding on the north side of said Aliceanna
2 Street, Westerly 20 feet to intersect the west side of said Dallas Street, and thence
3 binding on the west side of said Dallas Street, Northerly 303.7 feet, more or less,
4 to the place of beginning.

5 Beginning for Parcel No. 2 at the point formed by the intersection of the south
6 side of a 2.5 foot alley laid out in the rear of the properties known as Nos. 1508
7 through 1514 Aliceanna Street, and the east side of Dallas Street, 20 feet wide,
8 said point of beginning being distant northerly 57.50 feet measured along the east
9 side of said Dallas Street from the north side of Aliceanna Street, 70 feet wide,
10 and running thence binding on the east side of said Dallas Street, Northerly 2.5
11 feet to intersect the north side of said 2.5 foot alley; thence binding on the north
12 side of said 2.5 foot alley, Easterly 54.0 feet, more or less, to the easternmost
13 extremity of said 2.5 foot alley; thence binding on the easternmost extremity of
14 said 2.5 foot alley, Southerly 2.5 feet to intersect the south side of said 2.5 foot
15 alley, and thence binding on the south side of said 2.5 foot alley, Westerly 54.0
16 feet, more or less, to the place of beginning.

17 As delineated on Plat 346-A-59, prepared by the Survey Control Section and filed on August 3,
18 2007, 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 Dallas Street and a 2.5 foot wide alley and the rights of all interested parties shall be
21 regulated by and in accordance with all applicable provisions of state and local law and with all
22 applicable rules and regulations adopted by the Director of Public Works and filed with the
23 Department of 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

Council Bill 07-0772

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.