

**CITY OF BALTIMORE  
COUNCIL BILL 16-0681  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Transportation)  
Introduced and read first time: June 6, 2016  
Assigned to: Housing and Community Development Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

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

4 FOR the purpose of condemning and closing a portion of West Franklin Street, extending from  
5 Allendale Street easterly 105 feet to the east side of a 15-foot alley, as shown on Plat 306-A-  
6 22A in the Office of the Department of Transportation; and providing for a special effective  
7 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 West Franklin  
18 Street, extending from Allendale Street easterly 105 feet to the east side of a 15-foot alley, and  
19 more particularly described as follows:

20 Beginning for Parcel 1 at the point formed by the intersection of a point on the  
21 east side of Allendale Street 66 feet wide, and a point on the north side of West  
22 Franklin Street 60 feet wide, said point of being distant 90 feet measured along  
23 the south outline of the property known as No. 501 Allendale Street from the west  
24 side of a 15-foot alley; thence binding on the south side of said property North 87°  
25 21' 45" East 105.00 feet to intersect the east side of said 15-foot alley; thence  
26 binding on said 15-foot alley South 02° 21' 15" West 60.00 feet to intersect the  
27 south side of West Franklin Street; thence binding on the south side of West

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

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1 Franklin Street South 87° 21' 45" West 105.00 feet to intersect the east side of  
2 Allendale Street; and thence binding on the east side of Allendale Street North 02°  
3 21' 15" East 60.00 feet to the place of beginning.

4 As delineated on Plat 306-A-22A, prepared by the Survey Section and filed on May 6, 2016, 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 a portion of West Franklin Street and the rights of all interested parties shall be  
8 regulated by and in accordance with all applicable provisions of state and local law and with all  
9 applicable rules and regulations adopted by the Director of Transportation and filed with the  
10 Department of 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 when it is  
36 enacted.