



**Council Bill 20-0501**

1           Containing 171 square feet or 0.0039 acres, more or less.

2   As delineated on Plat 313-A-23A, prepared by the Survey Section and filed on November 14,  
3   2019, in the Office of the Department of Transportation.

4       **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
5   closing of the air rights area over a portion of the public right of way of Rogers Alley and the  
6   rights of all interested parties shall be regulated by and in accordance with all applicable  
7   provisions of state and local law and with all applicable rules and regulations adopted by the  
8   Director of Transportation and filed with the Department of Legislative Reference.

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

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

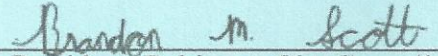
23       **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all  
24   subsurface structures and appurtenances owned by any person other than the Mayor and City  
25   Council of Baltimore shall be removed by and at the expense of their owners, promptly upon  
26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

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

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

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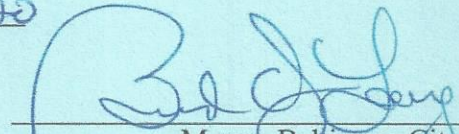
Certified as duly passed this 16 day of November, 2020

  
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President, Baltimore City Council

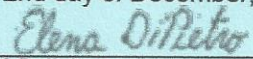
Certified as duly delivered to His Honor, the Mayor,  
this 16 day of November, 2020

  
\_\_\_\_\_  
Chief Clerk

Approved this 2<sup>nd</sup> day of Dec., 2020

  
\_\_\_\_\_  
Mayor, Baltimore City

Approved for Form and Legal Sufficiency  
This 2nd day of December, 2020.

  
\_\_\_\_\_  
Chief Solicitor