

**CITY OF BALTIMORE**  
**COUNCIL BILL 17-0057**  
**(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: April 24, 2017  
Assigned to: Housing and Urban Affairs Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**  
3 **Beds of 2 10-Foot Alleys Bounded by East 20<sup>th</sup> Street, North Chester Street,**  
4 **East North Avenue, and North Castle Street**

5 FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by East 20<sup>th</sup>  
6 Street, North Chester Street, East North Avenue, and North Castle Street, as shown on Plat  
7 161-A-63A in the Office of the Department of Transportation; and providing for a special  
8 effective date.

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

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
18 Department of Transportation shall proceed to condemn and close the beds of 2 10-foot alleys  
19 bounded by East 20<sup>th</sup> Street, North Chester Street, East North Avenue, and North Castle Street,  
20 and more particularly described as follows:

21 Beginning for Parcel No. 1 at the point formed by the intersection of the west side  
22 of a 10-foot alley and the south side of East 20<sup>th</sup> Street, 40 feet wide, the point of  
23 beginning being distant Easterly 52.0 feet, more or less, measured along the south  
24 side of East 20th Street; thence crossing the 10-foot alley, Easterly 10 feet to the  
25 east side of the 10-foot alley; thence binding on the east side of the 10-foot alley  
26 Southerly 160.0 feet, more or less, to intersect the north side of a 10-foot alley;  
27 thence, crossing the 10-foot alley mentioned firstly herein, Westerly 10.0 feet;  
28 thence binding on the west side of the 10-foot alley mentioned firstly herein,  
29 Northerly 160.0 feet, more or less, to the point of beginning.

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

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1           Containing 1,600 square feet or 0.037 acres of land, more or less.

2           Beginning for Parcel No. 2 at the point formed by the intersection of the east side  
3           of a 10-foot alley and the south side of East 20th Street, 40 feet wide, the point of  
4           beginning being distant Westerly 80.0 feet, more or less, measured along the south  
5           side of East 20th Street thence binding on the east side of the 10-foot alley,  
6           Southerly 160.0 feet, more or less, to intersect the north side of a 10-foot alley;  
7           thence crossing the 10-foot alley mentioned firstly herein, Westerly 10.0 feet;  
8           thence binding on the west side of the 10-foot alley mentioned firstly herein,  
9           Northerly 160.0 feet, more or less, to intersect the south side of East 20th Street;  
10          thence crossing the 10-foot alley mentioned firstly herein, Easterly 10.0 feet to the  
11          point of beginning.

12           Containing 1,600 square feet or 0.037 acres of land, more or less.

13          As delineated on Plat 161-A-63A, prepared by the Survey Section and filed on November 10,  
14          2016, in the Office of the Department of Transportation.

15          **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
16          closing of 2 10-foot alleys bounded by East 20<sup>th</sup> Street, North Chester Street, East North Avenue,  
17          and North Castle Street and the rights of all interested parties shall be regulated by and in  
18          accordance with all applicable provisions of state and local law and with all applicable rules and  
19          regulations adopted by the Director of Transportation and filed with the Department of  
20          Legislative Reference.

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

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

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

39          **SECTION 6. AND BE IT FURTHER ORDAINED,** That at all times after the closing under this  
40          Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized  
41          representatives, shall have access to the subject property and to all subsurface structures and

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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 is  
5 enacted.