

**CITY OF BALTIMORE  
COUNCIL BILL 14-0459  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of General Services)  
Introduced and read first time: December 4, 2014  
Assigned to: Housing and Community Development Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**  
3 **Certain Alleys in the Area Bounded by West 29<sup>th</sup> Street, Fox Street,**  
4 **West 28<sup>th</sup> Street, and Huntingdon Avenue**

5 FOR the purpose of condemning and closing a 3-foot alley and a 4-foot alley in the area bounded  
6 by West 29<sup>th</sup> Street, Fox Street, West 28<sup>th</sup> Street, and Huntingdon Avenue, as shown on Plat  
7 309-A-27A in the Office of the Department of General Services; 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 General Services shall proceed to condemn and close a 3-foot alley and a 4-foot  
19 alley in the area bounded by West 29<sup>th</sup> Street, Fox Street, West 28<sup>th</sup> Street, and Huntingdon  
20 Avenue, and more particularly described as follows:

21 Beginning for Parcel Number 1 at a point on the southwest side of West 29<sup>th</sup>  
22 Street 66 feet wide, located Northeasterly at a distance of 81.00 feet from a point  
23 formed by the intersection of the southeast side of said West 29<sup>th</sup> Street and the  
24 southeast side of Huntingdon Avenue 100 feet wide, binding on the southeast side  
25 of West 29<sup>th</sup> Street, the beginning of the second line in a deed dated November 6,  
26 2007 and recorded in in the Baltimore City Land Records in Liber FMC 10411,  
27 Folio 356, the following courses and distances:

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

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- 1 1. Northeasterly, binding on the southeastern most side of West 29<sup>th</sup>  
2 Street for a distance of 3.00 feet to a to the beginning of the first line  
3 and the sixth part from a deed dated July 22, 1991 and recorded in the  
4 Baltimore City Land Records in Liber SEB 2920, Folio 184 thence;
- 5 2. Southeasterly, at a right angle, binding on fourth line and the sixth part  
6 from said deed, dated July 22, 1991 and recorded in the Baltimore City  
7 Land Records in Liber SEB 2920, Folio 184, for a distance of 41.75  
8 feet to the beginning of the fourth line from a deed dated December  
9 21,1989 and recorded in the Baltimore city Land Records in Liber SEB  
10 2384, Folio 492 thence;
- 11 3. Southwesterly, at a right angle, for a distance of 3.00 feet, to the  
12 beginning of the third line from a deed dated November 6, 2007 in the  
13 Baltimore City Land Records in Liber FMC 10411, Folio 356 thence;
- 14 4. Northwesterly, at a right angle, binding of said second line from a deed  
15 dated November 6, 2007 in the Baltimore City Land Records in Liber  
16 FMC 10411, Folio 356 southwesternmost side of said alley, for a  
17 distance of 41.75 feet, to the point of beginning.

18 Containing 125 square feet, or 0.0029 acres, more or less.

19 Beginning for Parcel Number 2 at a point on the southwest side of Fox Street 20  
20 feet wide, said point being located southeasterly the distance of 55.00 feet, from a  
21 point formed by the intersection of the southwest side of said West 29<sup>th</sup> Street and  
22 the southwest side of said Fox Street, thence binding on the southwest side of said  
23 Fox Street, the following courses and distances:

- 24 1. Southeasterly, binding on the southwestern most side of said Fox  
25 Street, the distance of 4.00 feet to the beginning of the first line and  
26 eleventh part from a deed dated July 22, 1991 in the Baltimore City  
27 Land Records in Liber SEB 2920, Folio 184 thence;
- 28 2. Southwesterly, at a right angle, binding on the fourth line and eleventh  
29 part from said deed dated July 22, 1991 in the Baltimore City Land  
30 Records in Liber SEB 2920, Folio 184 the distance of 70.00 feet to a  
31 corner formed by the same line mentioned of the above said deed and  
32 the southeast side of a 10.00 foot alley, thence;
- 33 3. Northwesterly, at a right angle, the distance of 4.00 feet, to a corner  
34 formed by the southwest side of the third line and sixth part in a deed  
35 dated July 22, 1991 and recorded in the Baltimore City Land Records  
36 in Liber SEB 2920, Folio 184 and the northeast side of a 10.00 foot  
37 alley thence;
- 38 4. Northeasterly, at a right angle, running parallel with the fourth line and  
39 eleventh part from said deed dated July 22, 1991 in the Baltimore City  
40 Land Records in Liber SEB 2920, Folio 184 the distance of 70.00 feet,  
41 to the point of beginning.

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1           Containing 280 square feet, or 0.0064 acres, more or less.

2           As delineated on Plat 309-A-27A, prepared by the Survey Control Section and filed on July 1,  
3           2014, in the Office of the Department of General Services.

4           **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and  
5           closing of the alleys and the rights of all interested parties shall be regulated by and in accordance  
6           with all applicable provisions of state and local law and with all applicable rules and regulations  
7           adopted by the Director of General Services and filed with the Department of Legislative  
8           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 General  
22          Services 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.