

**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 05-0181**

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: June 6, 2005
Assigned to: Highways and Franchises Subcommittee
Committee Report: Favorable
Council action: Adopted
Read second time: August 15, 2005

AN ORDINANCE CONCERNING

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**City Streets – Closing –
Concord Street**

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FOR the purpose of condemning and closing Concord Street, extending from Pratt Street northerly 315.9 feet, more or less, to Lombard Street, as shown on Plat 346-A-50A in the Office of the Department of Public Works; and providing for a special effective date.

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By authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

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SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close Concord Street, extending from Pratt Street northerly 315.9 feet, more or less, to Lombard Street, and more particularly described as follows:

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Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Concord Street, 50 feet wide, and the north side of Pratt Street, varying in width, and running thence binding on the north side of said Pratt Street, Westerly 50.2 feet, more or less, to intersect the west side of said Concord Street; thence binding on the west side of said Concord Street, Northerly 309.0 feet, more or less, to intersect the south side of Lombard Street, varying in width; thence

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

1 binding on the south side of said Lombard Street, the two following courses and
2 distances; namely, Easterly 1.25 feet and Northeasterly 46.7 feet, more or less, to
3 intersect the east side of said Concord Street, and thence binding on the east side
4 of said Concord Street, Southerly 322.7 feet, more or less, to the place of
5 beginning.

6 As delineated on Plat 346-A-50A, prepared by the Survey Control Section and filed on February
7 17, 2005, in the Office of the Department of Public Works.

8 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
9 closing of Concord Street and the rights of all interested parties shall be regulated by and in
10 accordance with all applicable provisions of state and local law and with all applicable rules and
11 regulations adopted by the Director of Public Works and filed with the Department of
12 Legislative Reference.

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

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

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

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

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

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City