

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0412

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
Introduced and read first time: April 24, 2006
Assigned to: Highways and Franchises Subcommittee

Committee Report: Favorable
Council action: Adopted
Read second time: November 20, 2006

AN ORDINANCE CONCERNING

**City Streets – Closing – Certain Alleys
Lying Within the Washington Hill Chapel Urban Renewal Area Project**

FOR the purpose of condemning and closing certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, as shown on Plat 114-A-12A in the Office of the Department of Public Works; and providing for a special effective date.

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

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 certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of a 15.5-foot alley, laid out in the rear of the properties known as No. 1701/1721 E. Baltimore Street, and the east side of a 4-foot alley, laid out in the rear of the properties known as No. 11/23 through No. 31 Yogurt Lane, said point of beginning being distant westerly 54.2 feet, more or less, measured along the south side of said 15.5-foot alley from the west side of Register Street, 20 feet wide, and running thence binding on the east side of said 4-foot alley, Southerly 149.2 feet, more or less, to intersect the north side of a 4-foot alley, laid out in the rear of the properties known as No. 1704 through No. 1706/1712 E. Lombard Street; thence binding on the north side of last said 4-foot alley, Westerly 4.0 feet

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.

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1 to intersect the west side of said 4-foot alley, mentioned firstly herein; thence
2 binding on the west side of said 4-foot alley, mentioned firstly herein, Northerly
3 149.2 feet, more or less, to intersect the south side of said 15.5-foot alley, and
4 thence binding on the south side of said 15.5-foot alley, Easterly 4.0 feet to the
5 place of beginning.

6 Beginning for Parcel No. 2 at the point formed by the intersection of the south
7 side of a 4-foot alley, laid out in the rear of the property known as No. 1720 E.
8 Lombard Street, and the east side of Regester Street, 20 feet wide, said point of
9 beginning being distant northerly 67.00 feet, measured along the east side of said
10 Regester Street from the north side of Lombard Street, 60 feet wide, and running
11 thence binding on the east side of said Regester Street, Northerly 4.0 feet to
12 intersect the north side of said 4-foot alley; thence binding on the north side of
13 said 4-foot alley, Easterly 67.5 feet, more or less, to the easternmost extremity of
14 said 4-foot alley, there situate; thence binding on the easternmost extremity of
15 said 4-foot alley, Southerly 4.0 feet to intersect the south side of said 4-foot alley,
16 and thence binding on the south side of said 4-foot alley, Westerly 67.5 feet, more
17 or less, to the place of beginning.

18 Beginning for Parcel No. 3 at the point formed by the intersection of the north
19 side of a 4-foot alley, laid out in the rear of the property known as No. 1720 E.
20 Lombard Street, and the west side of a 3-foot alley, contiguous to the west outline
21 of the property known as No. 1732/34 E. Lombard Street, there situate, said point
22 of beginning being distant easterly 64.5 feet, more or less, measured along the
23 north side of said 4-foot alley from the east side of Regester Street, 20 feet wide,
24 and running thence binding on the west side of said 3-foot alley, Northerly 108.5
25 feet, more or less, to the northernmost extremity of said 3-foot alley, there situate;
26 thence binding on the northernmost extremity of said 3-foot alley, Easterly 3.0
27 feet to intersect the west outline of said 3-foot alley; thence binding on the west
28 outline of said 3-foot alley, Southerly 108.5 feet, more or less, to intersect the
29 north side of said 4-foot alley, and thence binding on the north side of said 4-foot
30 alley, Westerly 3.0 feet to the place of beginning.

31 As delineated on Plat 114-A-12A, prepared by the Survey Control Section and filed on March 1,
32 2006, in the Office of the Department of Public Works.

33 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
34 closing of certain alleys and the rights of all interested parties shall be regulated by and in
35 accordance with all applicable provisions of state and local law and with all applicable rules and
36 regulations adopted by the Director of Public Works and filed with the Department of
37 Legislative Reference.

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

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

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

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

18 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
19 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