

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 14-0459

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
Committee Report: Favorable
Council action: Adopted
Read second time: June 1, 2015

AN ORDINANCE CONCERNING

**City Streets – Closing –
Certain Alleys in the Area Bounded by West 29th Street, Fox Street,
West 28th Street, and Huntingdon Avenue**

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4 FOR the purpose of condemning and closing a 3-foot alley and a 4-foot alley in the area bounded
5 by West 29th Street, Fox Street, West 28th Street, and Huntingdon Avenue, as shown on Plat
6 309-A-27A in the Office of the Department of General Services; and providing for a special
7 effective date.

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

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 Department of General Services shall proceed to condemn and close a 3-foot alley and a 4-foot
18 alley in the area bounded by West 29th Street, Fox Street, West 28th Street, and Huntingdon
19 Avenue, and more particularly described as follows:

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

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 1. Northeasterly, binding on the southeastern most side of West 29th
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 29th 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.

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

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City