

**CITY OF BALTIMORE  
COUNCIL BILL 06-0412  
(First Reader)**

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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

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REFERRED TO THE FOLLOWING AGENCIES: Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Transportation, Fire Department

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A BILL ENTITLED

1 AN ORDINANCE concerning

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

4 FOR the purpose of condemning and closing certain alleys lying within the Washington Hill  
5 Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore  
6 Street, and Ann Street, as shown on Plat 114-A-12A in the Office of the Department of  
7 Public Works; and providing for a special 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 Public Works shall proceed to condemn and close certain alleys lying within the  
18 Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway,  
19 Baltimore Street, and Ann Street, and more particularly described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the south  
21 side of a 15.5-foot alley, laid out in the rear of the properties known as No.  
22 1701/1721 E. Baltimore Street, and the east side of a 4-foot alley, laid out in the  
23 rear of the properties known as No. 11/23 through No. 31 Yogurt Lane, said point  
24 of beginning being distant westerly 54.2 feet, more or less, measured along the  
25 south side of said 15.5-foot alley from the west side of Regester Street, 20 feet  
26 wide, and running thence binding on the east side of said 4-foot alley, Southerly  
27 149.2 feet, more or less, to intersect the north side of a 4-foot alley, laid out in the  
28 rear of the properties known as No. 1704 through No. 1706/1712 E. Lombard  
29 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.

**Council Bill 06-0412**

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.

## Council Bill 06-0412

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.