

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 12-0070

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: April 30, 2012
Assigned to: Housing and Community Development Committee
Committee Report: Favorable
Council action: Adopted
Read second time: June 4, 2012

AN ORDINANCE CONCERNING

City Streets – Closing – 15-Foot Alley

FOR the purpose of condemning and closing a 15-foot alley, laid out in the rear of the properties known as 4406 and 4410 Pall Mall Road, as shown on Plat 332-A-28A in the Office of the Department of General Services; 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 General Services shall proceed to condemn and close a 15-foot alley laid out in the rear of the properties known as 4406 and 4410 Pall Mall Road,, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the northeast side of a 15-foot alley, laid out in the rear of the properties known as Nos. 4406 and 4410 Pall Mall Road and the northwest side of a 12-foot alley, laid out in the rear of the property known as Lot No. 1 of Block 3349 as referred to among the Real Property Records of the Property Location Section of the Department of General Services of the City of Baltimore through the property known as No. 2622 Loyola Northway, said point of beginning being distant southwesterly 148.9 feet, more or less, measured along the northwest side of said 12-foot alley from the southwest side of Pall Mall Road, 40 feet wide, and running thence binding on the northwest side of said 12-foot alley, Southwesterly 15.2 feet, more or less, to intersect the southwest side of said 15-foot alley; thence binding on the southwest side of said 15-foot alley, Northwesterly 160.0 feet, more or less, to the northwest

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 outline of the property known as No. 4309/4311 Pimlico Road; thence by a
2 straight line through the bed of said 15-foot alley, Northeasterly 15.6 feet, more or
3 less, to intersect the northeast side of said 15-foot alley at the division line
4 between the properties known as Nos. 4410 and 4422 Pall Mall Road, there
5 situated, and thence binding on the northeast side of said 15-foot alley,
6 Southeasterly 162.1 feet, more or less, to the place of beginning.

7 As delineated on Plat 332-A-28A, prepared by the Survey Control Section and filed on April 9,
8 2012, in the Office of the Department of General Services.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
10 closing of the 15-foot alley and the rights of all interested parties shall be regulated by and in
11 accordance with all applicable provisions of state and local law and with all applicable rules and
12 regulations adopted by the Director of General Services and filed with the Department of
13 Legislative Reference.

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

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

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

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

38 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
39 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