

**CITY OF BALTIMORE
COUNCIL BILL 11-0777
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: September 19, 2011
Assigned to: Highways and Franchises Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: Planning Commission, Department of Housing and Community Development, Department of General Services, Department of Transportation, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing – Certain Streets and Alleys Bounded by**
3 **Sarah Ann Street, Poppleton Street, Fairmount Avenue, and Schroeder Street**

4 FOR the purpose of condemning and closing certain streets and alleys bounded by Sarah Ann
5 Street, Poppleton Street, Fairmount Avenue, and Schroeder Street, as shown on Plat 329-A-
6 21A 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 Public Works shall proceed to condemn and close certain streets and alleys
18 bounded by Sarah Ann Street, Poppleton Street, Fairmount Avenue, and Schroeder Street, and
19 more particularly described as follows:

20 Beginning for Parcel No. 1 at the point formed by the intersection of the south
21 side of Kierle Court, 10 feet wide, and the east side of Schroeder Street, 66 feet
22 wide, and running thence binding on the east side of said Schroeder Street
23 Northerly 10.0 feet to intersect the north side of said Kierle Court; thence binding
24 on the north side of said Kierle Court Easterly 152.3 feet, more or less, to
25 intersect the west side of Amity Street, 40 feet wide; thence binding on the west
26 side of said Amity Street Southerly 10.0 feet, to intersect the south side of said
27 Kierle Court, and thence binding on the south side of said Kierle Court Westerly
28 152.3 feet, more or less, to the place of beginning.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 Beginning for Parcel No. 2 at the point formed by the intersection of the south
2 side of Vine Street, 10 feet wide, and the east side of Schroeder Street, 66 feet
3 wide, and running thence binding on the east side of said Schroeder Street
4 Northerly 10.0 feet, to intersect the north side of said Vine Street; thence binding
5 on the north side of said Vine Street Easterly 152.3 feet, more or less, to intersect
6 the west side of Amity Street, 40 feet wide; thence binding on the west side of
7 said Amity Street Southerly 10.0 feet, to intersect the south side of said Vine
8 Street, and thence binding on the south side of said Vine Street Westerly 152.3
9 feet, more or less, to the place of beginning.

10 Beginning for Parcel No. 3 at the point formed by the intersection of the south
11 side of a 3-foot alley, laid out in the rear of the properties known as No. 929
12 through No. 949 W. Lexington Street, and the east side of Schroeder Street, 66
13 feet wide, said point of beginning being distant Northerly 49.6 feet, more or less,
14 measured along the east side of said Schroeder Street from the north side of
15 Kierle Court, 10 feet wide, and running thence binding on the east side of said
16 Schroeder Street Northerly 3.0 feet to intersect the north side of said 3-foot alley;
17 thence binding on the north side of said 3-foot alley Easterly 152.3 feet, more or
18 less, to intersect the west side of Amity Street, 40 feet wide; thence binding on the
19 west side of said Amity Street Southerly 3.0 feet, to intersect the south side of
20 said 3-foot alley, and thence binding on the south side of said 3-foot alley
21 Westerly 152.3 feet, more or less, to the place of beginning.

22 Beginning for Parcel No. 4 at the point formed by the intersection of the north
23 side of Kierle Court, 10 feet wide, and the west side of a 3-foot alley, laid out in
24 the rear of the properties known as No. 123 through No. 129 N. Schroeder Street,
25 said point of beginning being distant Easterly 73.2 feet, more or less, measured
26 along the north side of said Kierle Court from the east side of Schroeder Street, 66
27 feet wide, and running thence binding on the west side of said 3-foot alley
28 Northerly 48.8 feet, more or less, to intersect the south side of a 3-foot alley, laid
29 out in the rear of the properties known as No. 929 through No. 949 W. Lexington
30 Street; thence binding on the south side of last said 3-foot alley Easterly 3.0 feet,
31 to intersect the east side of said 3-foot alley, mentioned firstly herein; thence
32 binding on the east side of said 3-foot alley, mentioned firstly herein Southerly
33 48.8 feet, more or less, to intersect the north side of said Kierle Court, and thence
34 binding on the north side of said Kierle Court, Westerly 3.0 feet to the place of
35 beginning.

36 Beginning for Parcel No. 5 at the point formed by the intersection of the west side
37 of a 3-foot alley, laid out in the rear of the properties known as No. 115 through
38 No. 121 N. Schroeder Street, and the south side of Kierle Court, 10 feet wide, said
39 point of beginning being distant Easterly 61.0 feet, more or less, measured along
40 the south side of said Kierle Court from the east side of Schroeder Street, 66 feet
41 wide, and running thence binding on the south side of said Kierle Court Easterly
42 3.0 feet to intersect the east side of said 3-foot alley; thence binding on the east
43 side of said 3-foot alley Southerly 46.8 feet, more or less, to the southernmost
44 extremity of said 3-foot alley, there situate; thence binding on the southernmost
45 extremity of said 3-foot alley Westerly 3.0 feet to intersect the west side of said 3-
46 foot alley, and thence binding on the west side of said 3-foot alley Northerly 46.8
47 feet, more or less, to the place of beginning.

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1 Beginning for Parcel No. 6 at the point formed by the intersection of the south
2 side of Kierle Court, 10 feet wide, and the east side of a 3-foot alley, laid out in
3 the rear of the properties known as No. 112/114 through No. 122 N. Amity Street,
4 said point of beginning being distant Westerly 72.0 feet, more or less, measured
5 along the south side of said Kierle Court from the west side of Amity Street, 40
6 feet wide, and running thence binding on the east side of said 3-foot alley
7 Southerly 47.3 feet, more or less, to the southernmost extremity of said 3-foot
8 alley, there situate; thence binding on the southernmost extremity of said 3-foot
9 alley, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence
10 binding on the west side of said 3-foot alley Northerly 47.3 feet, more or less, to
11 intersect the south side of said Kierle Court, and thence binding on the south side
12 of said Kierle Court, Easterly 3.0 feet to the place of beginning.

13 Beginning for Parcel No. 7 at the point formed by the intersection of the west side
14 of a 4-foot alley, laid out in the rear of the properties known as No. 103 through
15 No. 109 N. Schroeder Street, and the south side of Vine Street, 10 feet wide, said
16 point of beginning being distant Easterly 54.0 feet, more or less, measured along
17 the south side of said Vine Street from the east side of Schroeder Street, 66 feet
18 wide, and running thence binding on the south side of said Vine Street Easterly
19 4.0 feet to intersect the east side of said 4-foot alley; thence binding on the east
20 side of said 4-foot alley Southerly 48.0 feet, more or less, to the southernmost
21 extremity of said 4-foot alley, there situate; thence binding on the southernmost
22 extremity of said 4-foot alley Westerly 4.00 feet to intersect the west side of said
23 4-foot alley, and thence binding on the west side of said 4-foot alley Northerly
24 48.0 feet, more or less, to the place of beginning.

25 Beginning for Parcel No. 8 at the point formed by the intersection of the east side
26 of Amity Street, 40 feet wide, and the north side of a 3-foot alley, laid out in the
27 rear of the properties known as No. 921 through No. 925/927 W. Lexington
28 Street, said point of beginning being distant Southerly 70.0 feet, more or less,
29 measured along the east side of said Amity Street from the south side of
30 Lexington Street, 66 feet wide, and running thence binding on the north side of
31 said 3-foot alley Easterly 62.0 feet, more or less, to the easternmost extremity of
32 said 3-foot alley, there situate; thence binding on the easternmost extremity of
33 said 3-foot alley Southerly 3.0 feet to intersect the south side of said 3-foot alley;
34 thence binding on the south side of said 3-foot alley Westerly 62.0 feet, more or
35 less, to intersect the east side of said Amity Street, and thence binding on the east
36 side of said Amity Street Northerly 3.00 feet to the place of beginning.

37 Beginning for Parcel No. 9 at the point formed by the intersection of the north
38 side of Kierle Court, 10 feet wide, and the west side of a 2.5 foot alley, laid out in
39 the rear of the property known as No. 125 N. Amity Street, said point of
40 beginning being distant Easterly 60.0 feet, more or less, measured along the north
41 side of said Kierle Court from the east side of Amity Street, 40 feet wide, and
42 running thence binding on the west side of said 2.5 foot alley, Northerly 23.2 feet,
43 more or less, to the northernmost extremity of said 2.5 foot alley, there situate;
44 thence binding on the northernmost extremity of said 2.5 foot alley Easterly 2.5
45 feet to intersect the east side of said 2.5 foot alley; thence binding on the east side
46 of said 2.5 foot alley, Southerly 23.2 feet, more or less, to intersect the north side
47 of said Kierle Court, and thence binding on the north side of said Kierle Court
48 Westerly 2.5 feet to the place of beginning.

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1 Beginning for Parcel No. 10 at the point formed by the intersection of the south
2 side of Sarah Ann Street, 20 feet wide, and the west side of a 2-foot alley laid out
3 in the rear of the properties known as Nos. 313 and 315 N. Schroeder Street said
4 point of beginning being distant Easterly 50 feet, more or less, measured along the
5 south side of said Sarah Ann Street, from the east side of Schroeder Street, 66 feet
6 wide, and running thence binding on the south side of said Sarah Ann Street
7 Easterly 2.0 feet to intersect the east side of said 2-foot alley; thence binding on
8 the east side of said 2-foot alley Southerly 30.0 feet, more or less, to the
9 southernmost extremity of said 2-foot alley, there situate; thence binding on the
10 southernmost extremity of said 2-foot alley Westerly 2.0 feet, to intersect the west
11 side of said 2-foot alley, and thence binding on the west side of said 2-foot alley
12 Northerly 30.0 feet, more or less, to the place of beginning.

13 Beginning for Parcel No. 11 at the point formed by the intersection of the north
14 side of a 2.5 foot alley laid out in the rear of the properties known as Nos. 950
15 through 956 W. Saratoga Street and the west side of a 3-foot alley laid out in the
16 rear of the properties known as Nos. 303 through 311 N. Schroeder Street, said
17 point of beginning being distant Easterly 47.0 feet, more or less, measured along
18 the north side of said 2.5 foot alley, from the east side of Schroeder Street, 66 feet
19 wide, and running thence binding on the west side of said 3-foot alley Northerly
20 60.4 feet, more or less, to the northernmost extremity of said 3-foot alley, there
21 situate; thence binding on the northernmost extremity of said 3-foot alley Easterly
22 3.0 feet to intersect the east side of said 3-foot alley; thence binding on the east
23 side of 3-foot alley Southerly 60.4 feet, more or less, to intersect the north side of
24 said 2.5 alley, and thence binding on the north side of said 2.5 foot alley Westerly
25 3.0 feet to the place of beginning.

26 Beginning for Parcel No. 12 at the point formed by the intersection of the east
27 side of Schroeder Street, 66 feet wide, and the south side of a 2.5 foot alley, laid
28 out in the rear of the properties known as Nos. 950 through 956 W. Saratoga
29 Street said point of beginning being distant Northerly 57.5 feet, more or less,
30 measured along the east side of said Schroeder Street from the north side of
31 Saratoga Street, 60 feet wide, and running thence binding on the east side of said
32 Schroeder Street Northerly 2.5 feet to intersect the north side of said 2.5 foot
33 alley; thence binding on the north side of said 2.5 foot alley Easterly 50.0 feet,
34 more or less, to the easternmost extremity of said 2.5 foot alley, there situate;
35 thence binding on the easternmost extremity of said 2.5 foot alley Southerly 2.5
36 feet to intersect the south side of said 2.5 foot alley, and thence binding on the
37 south side of said 2.5 foot alley Westerly 50.0, feet more or less, to the place of
38 beginning.

39 Beginning for Parcel No. 13 at the point formed by the intersection of the east
40 side of Schroeder Street, 66 feet wide, and the north side of Born Alley, 20 feet
41 wide, said point of beginning being distant Southerly 75.0 feet, more or less,
42 measured along the east side of said Schroeder Street from the south side of
43 Saratoga Street, 60 feet wide, and running thence binding on the north side of said
44 Born Alley Easterly 152.0 feet, more or less, to intersect the west side of Amity
45 Street, 40 feet wide; thence binding on the west side of said Amity Street
46 Southerly 20.0 feet to intersect the south side of said Born Alley; thence binding
47 on the south side of said Born Alley Westerly 152.0 feet, more or less, to intersect

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1 the east side of said Schroeder Street, and thence binding on the east side of said
2 Schroeder Street Northerly 20.0 feet to the place of beginning.

3 Beginning for Parcel No. 14 at the point formed by the intersection of the east
4 side of Schroeder Street, 66 feet wide, and the south side of Cloney Alley, 20 feet
5 wide, said point of beginning being distant Northerly 199.0 feet, more or less,
6 measured along the east side of said Schroeder Street from the north side of
7 Lexington Street, 66 feet wide, and running thence binding on the east side of said
8 Schroeder Street Northerly 20.0 feet to intersect the north side of said Cloney
9 Alley; thence binding on the north side of said Cloney Alley Easterly 152.0 feet,
10 more or less, to intersect the west side of Amity Street, 40 feet wide; thence
11 binding on the west side of said Amity Street Southerly 20.0 feet to intersect the
12 south side of said Cloney Alley, and thence binding on the south side of said
13 Cloney Alley Westerly 152.0 feet, more or less, to the place of beginning.

14 Beginning for Parcel No. 15 at the point formed by the intersection of the south
15 side of Born Alley, 20 feet wide, and the east side of Osing Court, 11.5 feet wide,
16 said point of beginning being distant Westerly 71.0 feet, more or less, measured
17 along the south side of said Born Alley from the west side of Amity Street, 40 feet
18 wide, and running thence binding on the east side of said Osing Court Southerly
19 160.0 feet, more or less, to intersect the north side of Cloney Alley, 20 feet wide;
20 thence binding on the north side of said Cloney Alley Westerly 11.5 feet to
21 intersect the west side of said Osing Court; thence binding on the west side of
22 said Osing Court Northerly 160.0 feet, more or less, to intersect the south side of
23 said Born Alley and thence binding on the south side of said Born Alley Easterly
24 11.5 feet to the place of beginning.

25 Beginning for Parcel No. 16 at the point formed by the intersection of the south
26 side of Cloney Alley, 20 feet wide, and the east side of Osing Court, 11.5 feet
27 wide, said point of beginning being distant Westerly 71.0 feet, more or less,
28 measured along the south side of said Cloney Alley from the west side of Amity
29 Street, 40 feet wide, and running thence binding on the east side of said Osing
30 Court Southerly 127.0 feet, more or less, to intersect the north side of a 5-foot
31 alley laid out in the rear of the properties known as Nos. 928 through 942 W.
32 Lexington Street; thence binding on the north side of said 5-foot alley Westerly
33 11.5 feet to intersect the west side of said Osing Court; thence binding on the west
34 side of said Osing Court Northerly 127.0 feet, more or less, to intersect the south
35 side of said Cloney Alley and thence binding on the south side of said Cloney
36 Alley Easterly 11.5 feet to the place of beginning.

37 Beginning for Parcel No. 17 at the point formed by the intersection of the west
38 side of Amity Street, 40 feet wide, and the south side of a 5-foot alley laid out in
39 the rear of the properties known as Nos. 928 through 942 W. Lexington Street,
40 said point of beginning being distant Northerly 70.0 feet, more or less, measured
41 along the west side of said Amity Street from the north side of Lexington Street,
42 66 feet wide, and running thence binding on the south side of said 5-foot alley
43 Westerly 110.5 feet, more or less, to the westernmost extremity of said 5-foot
44 alley, there situate; thence binding on the westernmost extremity of said 5-foot
45 alley Northerly 5.0 feet to intersect the north side of said 5-foot alley; thence
46 binding on the north side of said 5-foot alley, Easterly 110.5 feet, more or less, to

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1 intersect the west side of said Amity Street and thence binding on the west side of
2 said Amity Street Southerly 5.0 feet to the place of beginning.

3 Beginning for Parcel No. 18 at the point formed by the intersection of the west
4 side of a 3-foot alley laid out in the rear of the properties known as Nos. 253
5 through 263 N. Schroeder Street and the south side of Saratoga Street, 60 feet
6 wide, said point of beginning being distant Easterly 61.0 feet, more or less,
7 measured along the south side of said Saratoga Street from the east side of
8 Schroeder Street, 66 feet wide, and running thence binding on the south side of
9 said Saratoga Street Easterly 3.0 feet to intersect the east side of said 3-foot alley;
10 thence binding on the east side of said 3-foot alley Southerly 75.0 feet, more or
11 less, to intersect the north side of Born Alley, 20 feet wide; thence binding on the
12 north side of said Born Alley Westerly 3.0 feet to intersect the west side of said 3-
13 foot alley and thence binding on the west side of said 3-foot alley Northerly 75.0
14 feet, more or less, to the place of beginning.

15 Beginning for Parcel No. 19 at the point formed by the intersection of the east
16 side of a 5 foot alley laid out in the rear of the properties known as Nos. 207 and
17 209 N. Schroeder Street and the north side of a 5-foot alley laid out in the rear of
18 the properties known as Nos. 928 through 942 W. Lexington Street, said point of
19 beginning being distant Westerly 105.5 feet, more or less, measured along the
20 north side of last said 5 foot alley from the west side of Amity Street, 40 feet
21 wide, and running thence binding on the north side of last said 5 foot alley
22 Westerly 5.0 feet to intersect the west side of said 5-foot alley, mentioned firstly
23 herein; thence binding on the west side of said 5-foot alley, mentioned firstly
24 herein, Northerly 24.0 feet, more or less, to the northernmost extremity of said 5-
25 foot alley, mentioned firstly herein, there situate; thence binding on the
26 northernmost extremity of said 5-foot alley, mentioned firstly herein, Easterly 5.0
27 feet to intersect the east side of said 5-foot alley, mentioned firstly herein, and
28 thence binding on the east side of said 5-foot alley, mentioned firstly herein,
29 Southerly 24.0 feet, more or less, to the place of beginning.

30 Beginning for Parcel No. 20 at the point formed by the intersection of the east
31 side of Schroeder Street, 66 feet wide, and the north side of Page Court, 10 feet
32 wide, and running thence binding on the north side of said Page Court Easterly
33 169.0 feet, more or less, to intersect the west side of Amity Street, 20 feet wide;
34 thence binding on the west side of said Amity Street Southerly 10.0 feet to
35 intersect south side of said Page Court; thence binding on the south side of said
36 Page Court, Westerly 169.0 feet, more or less, to intersect the east side of said
37 Schroeder Street, and thence binding on the east side of said Schroeder Street
38 Northerly 10.0 feet to the place of beginning.

39 Beginning for Parcel No. 21 at the point formed by the intersection of the north
40 side of Fairmount Avenue, 66 feet wide, and the west side of a 4-foot alley laid
41 out contiguous to the west outline of the properties known as No. 924 W.
42 Fairmount Avenue and No. 933 Page Court, said point of beginning being distant
43 Easterly 87.5 feet, more or less, measured along the north side of said Fairmount
44 Avenue from the east side of Schroeder Street, 66 feet wide, and running thence
45 binding on the west side of said 4-foot alley Northerly 74.0 feet, more or less, to
46 intersect the south side of Page Court, 10 feet wide; thence binding on the south
47 side of said Page Court Easterly 4.0 feet to intersect the east side of said 4-foot

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1 alley; thence binding on the east side of said 4-foot alley Southerly 74.0 feet,
2 more or less, to intersect the north side of said Fairmount Avenue, and thence
3 binding on the north side of said Fairmount Avenue Westerly 4.0 feet to the place
4 of beginning.

5 Beginning for Parcel No. 22 at the point formed by the intersection of the south
6 side of Page Court, 10 feet wide, and the east side of a 3-foot alley laid out in the
7 rear of the properties known as Nos. 22 through 28 N. Amity Street, said point of
8 beginning being distant Westerly 51.5 feet, more or less, measured along the
9 south side of said Page Court from the west side of Amity Street, 20 feet wide,
10 and running thence binding on the east side of said 3-foot alley Southerly 45.0
11 feet, more or less, to the southernmost extremity of said 3-foot alley, there situate;
12 thence binding on the southernmost extremity of said 3-foot alley Westerly 3.0
13 feet to intersect the west side of said 3-foot alley; thence binding on the west side
14 of said 3-foot alley Northerly 45.0 feet, more or less, to intersect the south side of
15 said Page Court, and thence binding on the south side of said Page Court Easterly
16 3.0 feet to the place of beginning.

17 Beginning for Parcel No. 23 at the point formed by the intersection of the south
18 side of Page Court, 10 feet wide, and the west side of a 1.6 foot alley laid out
19 contiguous to the east outline of the property known as No. 937 Page Court, said
20 point of beginning being distant Easterly 72.5 feet, more or less, measured along
21 the south side of said Page Court from the east side of Schroeder Street, 66 feet
22 wide, and running thence binding on the south side of said Page Court, Easterly
23 1.6 feet to intersect the east side of said 1.6 foot alley; thence binding on the east
24 side of said 1.6 foot alley, Southerly 29.0 feet, more or less, to the southernmost
25 extremity of said 1.6 foot alley, there situate; thence binding on the southernmost
26 extremity of said 1.6 foot alley, Westerly 1.6 feet to intersect the west of side of
27 said 1.6 foot alley, and thence binding on the west side of said 1.6 foot alley,
28 Northerly 29.0 feet, more or less, to the place of beginning.

29 As delineated on Plat 329-A-21A, prepared by the Survey Control Section and filed on May 12,
30 2011, in the Office of the Department of General Services.

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

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

43 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
44 (including but not limited to railroad tracks) may be constructed or erected in or on any part of
45 the street closed under this Ordinance until all subsurface structures and appurtenances owned by

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1 the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council
2 or, at the expense of the person seeking to erect the building or structure, have been removed and
3 relaid in accordance with the specifications and under the direction of the Director of General
4 Services of Baltimore City.

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

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

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