

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0057

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: April 24, 2017
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable
Council action: Adopted
Read second time: December 4, 2017

AN ORDINANCE CONCERNING

**City Streets – Closing –
Beds of 2 10-Foot Alleys Bounded by East 20th Street, North Chester Street,
East North Avenue, and North Castle Street**

FOR the purpose of condemning and closing the beds of 2 10-foot alleys bounded by East 20th Street, North Chester Street, East North Avenue, and North Castle Street, as shown on Plat 161-A-63A in the Office of the Department of Transportation; 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 Transportation shall proceed to condemn and close the beds of 2 10-foot alleys bounded by East 20th Street, North Chester Street, East North Avenue, and North Castle Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of a 10-foot alley and the south side of East 20th Street, 40 feet wide, the point of beginning being distant Easterly 52.0 feet, more or less, measured along the south side of East 20th Street; thence crossing the 10-foot alley, Easterly 10 feet to the east side of the 10-foot alley; thence binding on the east side of the 10-foot alley Southerly 160.0 feet, more or less, to intersect the north side of a 10-foot alley; thence, crossing the 10-foot alley mentioned firstly herein, Westerly 10.0 feet; thence binding on the west side of the 10-foot alley mentioned firstly herein, Northerly 160.0 feet, more or less, to the point of beginning.

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 Containing 1,600 square feet or 0.037 acres of land, more or less.

2 Beginning for Parcel No. 2 at the point formed by the intersection of the east side
3 of a 10-foot alley and the south side of East 20th Street, 40 feet wide, the point of
4 beginning being distant Westerly 80.0 feet, more or less, measured along the south
5 side of East 20th Street thence binding on the east side of the 10-foot alley,
6 Southerly 160.0 feet, more or less, to intersect the north side of a 10-foot alley;
7 thence crossing the 10-foot alley mentioned firstly herein, Westerly 10.0 feet;
8 thence binding on the west side of the 10-foot alley mentioned firstly herein,
9 Northerly 160.0 feet, more or less, to intersect the south side of East 20th Street;
10 thence crossing the 10-foot alley mentioned firstly herein, Easterly 10.0 feet to the
11 point of beginning.

12 Containing 1,600 square feet or 0.037 acres of land, more or less.

13 As delineated on Plat 161-A-63A, prepared by the Survey Section and filed on November 10,
14 2016, in the Office of the Department of Transportation.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
16 closing of 2 10-foot alleys bounded by East 20th Street, North Chester Street, East North Avenue,
17 and North Castle Street and the rights of all interested parties shall be regulated by and in
18 accordance with all applicable provisions of state and local law and with all applicable rules and
19 regulations adopted by the Director of Transportation and filed with the Department of
20 Legislative Reference.

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

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

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

39 **SECTION 6. AND BE IT FURTHER ORDAINED,** That at all times after the closing under this
40 Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized
41 representatives, shall have access to the subject property and to all subsurface structures and

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1 appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining,
2 repairing, altering, relocating, or replacing any of them, without need to obtain permission from
3 or pay compensation to the owner of the property.

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

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