

**Introduced by:** The Council President

**At the request of:** The Administration (Department of Transportation)

**Prepared by:** Department of Legislative Reference

**Date:** August 30, 2019

**Referred to:** HOUSING AND URBAN AFFAIRS Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19-0434

A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –  
Air Rights over a Portion of the Public Right of Way  
of the 200 Block of North Broadway**

FOR the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23A 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)

**\*\*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

**Agencies**

<input checked="" type="checkbox"/> Baltimore City Public School System	<input type="checkbox"/> Department of Public Works
<input checked="" type="checkbox"/> Baltimore Development Corporation	<input type="checkbox"/> Department of Real Estate
<input checked="" type="checkbox"/> City Solicitor	<input type="checkbox"/> Department of Recreation and Parks
<input type="checkbox"/> Comptroller's Office	<input checked="" type="checkbox"/> Department of Transportation
<input type="checkbox"/> Department of Audits	<input type="checkbox"/> Fire Department
<input type="checkbox"/> Department of Finance	<input type="checkbox"/> Health Department
<input type="checkbox"/> Department of General Services	<input type="checkbox"/> Mayor's Office of Employment Development
<input checked="" type="checkbox"/> Department of Housing and Community Development	<input type="checkbox"/> Mayor's Office of Human Services
<input type="checkbox"/> Department of Human Resources	<input type="checkbox"/> Mayor's Office of Information Technology
<input checked="" type="checkbox"/> Department of Planning	<input type="checkbox"/> Office of the Mayor
<input type="checkbox"/> Other:	<input type="checkbox"/> Police Department
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
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<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<input type="checkbox"/> Board of Estimates	<input type="checkbox"/> Environmental Control Board
<input type="checkbox"/> Board of Ethics	<input type="checkbox"/> Fire & Police Employees' Retirement System
<input type="checkbox"/> Board of Municipal and Zoning Appeals	<input type="checkbox"/> Labor Commissioner
<input type="checkbox"/> Comm. for Historical and Architectural Preservation	<input type="checkbox"/> Parking Authority Board
<input type="checkbox"/> Commission on Sustainability	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Employees' Retirement System	<input type="checkbox"/> Wage Commission
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:

**Boards and Commissions**

<input type="checkbox"/> Board of Estimates	<input type="checkbox"/> Environmental Control Board
<input type="checkbox"/> Board of Ethics	<input type="checkbox"/> Fire & Police Employees' Retirement System
<input type="checkbox"/> Board of Municipal and Zoning Appeals	<input type="checkbox"/> Labor Commissioner
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<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:

CITY OF BALTIMORE  
ORDINANCE **20.405**  
Council Bill 19-0434

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Introduced by: The Council President  
At the request of: The Administration (Department of Transportation)  
Introduced and read first time: September 9, 2019  
Assigned to: Housing and Urban Affairs Committee  
Committee Report: Favorable  
Council action: Adopted  
Read second time: September 21, 2020

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**AN ORDINANCE CONCERNING**

**City Streets -- Closing --  
Air Rights over a Portion of the Public Right of Way  
of the 200 Block of North Broadway**

FOR the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23A 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 air rights area over a portion of the public right of way of the 200 block of North Broadway, and more particularly described as follows:

Beginning for the same at a point formed by the intersection of the east side of North Broadway 132 feet wide and the north side of East Fayette Street 72 feet wide, the point also being in a horizontal plane having an elevation of 141.5 feet at its lower limit and an elevation of 254.0 feet at its upper limit, as referenced to the Baltimore City Vertical Datum, running thence the four following courses and distances the point also being in a horizontal plane 40.0 feet above street level at its lowest point; thence binding on the north side of East Fayette Street Westerly 10.5 feet to the new division line of the airspace over a portion of the public right of way of 201 North Broadway; thence on the new division line Northerly 174.5 feet; thence crossing North Broadway Easterly 10.5 feet to intersect the east side

**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.

**Council Bill 19-0434**

1 of North Broadway; and thence binding on the east side of North Broadway  
2 Southerly 174.5 feet to the point of beginning.

3 Containing 1,832 square feet or 0.042 acres, more or less.

4 As delineated on Plat 306-A-23A, prepared by the Survey Section and filed on January 22, 2019,  
5 in the Office of the Department of Transportation.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
7 closing of the air rights area over a portion of the public right of way of the 200 block of North  
8 Broadway and the rights of all interested parties shall be regulated by and in accordance with all  
9 applicable provisions of state and local law and with all applicable rules and regulations adopted  
10 by the Director of Transportation and filed with the Department of Legislative Reference.

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

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

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

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

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

**Council Bill 19-0434**

Certified as duly passed this 5 day of October, 2020

Brandon M. Scott

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 5 day of October, 2020

Katrina B. Austin

Chief Clerk

Approved this 20 day of Oct, 2020

Ben Jeong

Mayor, Baltimore City

Approved for form and legal sufficiency  
This 7th day of October, 2020.

Elena DiPietro

Chief Solicitor



# BALTIMORE CITY COUNCIL HOUSING AND URBAN AFFAIRS COMMITTEE VOTING RECORD

DATE: 9/15/20


**BILL#: 19-0434**

**BILL TITLE: Ordinance – City Streets – Closing – Air Rights over a Portion of the Public Right of Way of the 200 block of North Broadway**

**MOTION BY: SNBEB      SECONDED BY: COHEN**

- FAVORABLE                       FAVORABLE WITH AMENDMENTS  
 UNFAVORABLE                       WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Bullock, J. Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleiffer, I. Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burnett, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cohen, Z.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed, S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<b>TOTALS</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**CHAIRPERSON:**   
**COMMITTEE STAFF:** Richard G. Krummerich, Initials: JK



11/11/11



**CALL TO ORDER**

**INTRODUCTIONS**

**ATTENDANCE**

**Present** 7 - Member John T. Bullock, Member Isaac "Yitzy" Schleifer, Member Kristerfer Burnett, Member Zeke Cohen, Member Ryan Dorsey, Member Bill Henry, and Member Shannon Sneed

**ITEMS SCHEDULED FOR PUBLIC HEARING**

19-0434

**City Streets - Closing - Air Rights over a Portion of the Public Right of Way of the 200 Block of North Broadway**

For the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23A in the Office of the Department of Transportation; and providing for a special effective date.

**Sponsors:** City Council President (Administration)

**A motion was made by Member Sneed, seconded by Member Cohen, that this Ordinance be Recommended Favorably. The motion carried by the following vote:**

**Yes:** 7 - Member Bullock, Member "Yitzy" Schleifer, Member Burnett, Member Cohen, Member Dorsey, Member Henry, and Member Sneed

**ADJOURNMENT**



CITY OF BALTIMORE

BERNARDET JACK YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

LARRY F. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410.396.7215 Fax: 410.545.7596  
email: larry.green@baltimorecity.gov

**HEARING NOTES**

**Bill: CC 19-0434**

**Ordinance – City Streets – Closing - Air Rights over the Public Right of Way of the 200 Block of North Broadway**

**Committee:** Housing and Urban Affairs  
**Chaired By:** Councilmember John Bullock

**Hearing Date:** September 15, 2020

**Time (Beginning):** 2:07 PM

**Time (Ending):** 2:14 PM

**Location:** WebEx

**Total Attendance:** 56

**Committee Members in Attendance:**

- John Bullock Bill Henry
- Isaac "Yitzy" Schleifer Sharon Sneed
- Kristerfer Burnett
- Zeke Cohen
- Ryan Dorsey

Bill Synopsis in the file? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file? .....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Agency reports read? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file? .....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners? .....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by: .....	<b>Councilmember Sneed</b>		
Seconded by: .....	<b>Councilmember Cohen</b>		
Final Vote: .....	<b>Favorable</b>		

**Major Speakers**

*(This is not an attendance record.)*

- Liam Davis - Department of Transportation



**Major Issues Discussed**

1. This Bill was heard concurrently with CC 19-0433 and is designed to allow the connection of two medical buildings near the Johns Hopkins Hospital in East Baltimore.
2. The Bill was approved on a 7-0 Vote.

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**Further Study**

Was further study requested?

Yes  No

If yes, describe.

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**Committee Vote:**

J. Bullock:..... Yea  
I. Schleifer: ..... Yea  
K. Burnett: ..... Yea  
Z. Cohen: ..... Yea  
R. Dorsey: ..... Yea  
B. Henry: ..... Yea  
S. Sneed: ..... Yea  
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Richard G. Krummerich, Committee Staff

Date: 9-15-20

cc: Bill File  
OCS Chrono File



CITY OF BALTIMORE

BERNARD C. JACK, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 Fax: 410-513-7596  
email: larry.green@baltimorecity.gov

**HEARING NOTES**

**Bill: CC 19-0434**

**Ordinance – City Streets – Closing - Air Rights over the Public Right of Way of the 200 Block of North Broadway**

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Final vote taken at this hearing? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by: .....	Councilmember Sneed		
Seconded by: .....	Councilmember Cohen		
Final Vote: .....	Favorable		

**Major Speakers**

*(This is not an attendance record.)*

- Liam Davis - Department of Transportation





<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #19-0434/ CITY STREETS - CLOSING - AIR RIGHTS OVER A PORTION OF THE PUBLIC RIGHT OF WAY OF THE 200 BLOCK OF NORTH BROADWAY

CITY of  
BALTIMORE  
**MEMO**



DATE:

**TO**

The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 North Holliday Street

December 3, 2019

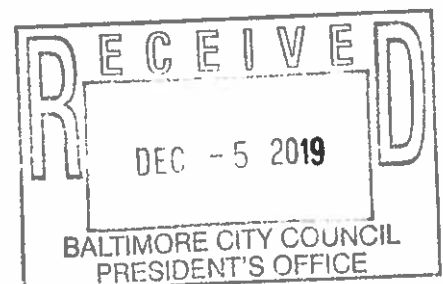
The Department of Planning is in receipt of City Council Bill #19-0434, which is for the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23A in the Office of the Department of Transportation; and providing for a special effective date.

The Department of Planning recommends approval of City Council Bill #19-0434. In their meeting of September 4, 2019, the Planning Commission approved an amendment to the Johns Hopkins South of Orleans Planned Unit Development (PUD) #117, as well as a Final Design Approval for the Skip Viragh Building at 201 North Broadway. That building, which has since been built, includes a bay of windows that projects over the eastern edge of the North Broadway right-of-way above the second floor level.


If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

cc: Mr. Nicholas Blendy, Mayor's Office  
Mr. Matthew Stegman, Mayor's Office  
Ms. Nina Themelis, Mayor's Office  
The Honorable Edward Reisinger, Council Rep. to Planning Commission  
Mr. Colin Tarbert, BDC  
Mr. Derek Baumgardner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services  
Mr. Dominic McAlily, Council Services





<b>F R O M</b>	<b>NAME &amp; TITLE</b>	Steve Sharkey, Director	<b>CITY of BALTIMORE  M E M O</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	<b>SUBJECT</b>	City Council Bill 19-0434		

TO: Mayor Bernard C. "Jack" Young  
TO: Housing & Urban Affairs Committee  
FROM: Department of Transportation  
POSITION: Support  
RE: Council Bill – 19-0434

DATE: 11/27/19

**INTRODUCTION** – City Streets - Closing - Air Rights over a Portion of the Public Right of Way of the 200 Block of North Broadway

**PURPOSE/PLANS** – For the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23A in the Office of the Department of Transportation; and providing for a special effective date.

**COMMENTS** – Council Bill 19-0434 is specifically tied to the recently completed Skip Viragh Cancer Center located at Johns Hopkins' East Baltimore Campus. Council Bill 19-0434 is a companion bill to Council Bills 19-0433 and 19-0435, collectively allowing for the opening, closing and sale of air rights over a portion of public right-of-way on the 200 block of North Broadway Street.

The opening, closing and sale of air rights allows for an approximately 10.5 foot bump-out on the upper level floors of the Skip Viragh Cancer Center, extending over the sidewalk running along the eastern side of the 200 block of North Broadway Street. In total, the bump out contains roughly 1,830 square feet of air space.

The Department of Transportation does not foresee any fiscal or operational impacts associated with the passage of Council Bill 19-0434.

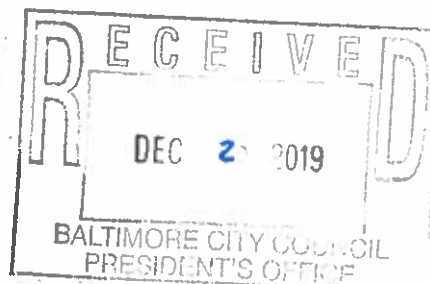
**AGENCY/DEPARTMENT POSITION** – The Department of Transportation **supports** City Council Bill 19-0434.

If you have any questions, please do not hesitate to contact Liam Davis via email at [Liam.Davis@baltimorecity.gov](mailto:Liam.Davis@baltimorecity.gov) or by phone (410) 545-3207.

Sincerely,



Steve Sharkey  
Director




F





**MEMORANDUM**

**DATE:** October 21, 2019  
**TO:** Housing and Urban Affairs Committee  
**FROM:** Colin Tarbert, President and CEO   
**POSITION:** Support  
**RE:** **Council Bill 19-0434 – City Streets – Closing – Air Rights over a Portion of the Public Right of Way of the 200 Block of North Broadway**

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**INTRODUCTION**

The Baltimore Development Corporation (BDC) has been asked to review and respond to City Council Bill 19-0434 introduced by the Council President at the request of the Department of Transportation.

**PURPOSE**

For the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway; and providing for a special effective date.

**BRIEF HISTORY**

This Bill is necessary for the development of a surface parking lot into a new facility for the Johns Hopkins Medical Campus, and supports larger revitalization efforts in East Baltimore. The design of the new facility requires encroachment into the air rights area over the public right of way.

**FISCAL IMPACT**

NONE

**AGENCY POSITION**

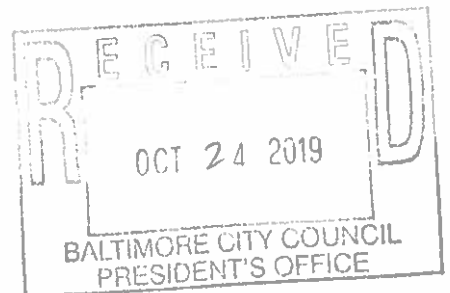
BDC is in support of City Council Bill #19-0434

If you have any questions, please do not hesitate to contact Kimberly Clark at 410-837-9305 or at [kclark@baltimoredevelopment.com](mailto:kclark@baltimoredevelopment.com).

cc: Nicholas Blendy

[CM]

F





**CITY OF BALTIMORE  
COUNCIL BILL 19-0434  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Transportation)  
Introduced and read first time: September 9, 2019  
Assigned to: Housing and Urban Affairs Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**  
3 **Air Rights over a Portion of the Public Right of Way**  
4 **of the 200 Block of North Broadway**

5 FOR the purpose of condemning and closing the air rights area over a portion of the public right  
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26 its lowest point; thence binding on the north side of East Fayette Street Westerly  
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**Council Bill 19-0434**

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23 relaid in accordance with the specifications and under the direction of the Director of  
24 Transportation of Baltimore City.

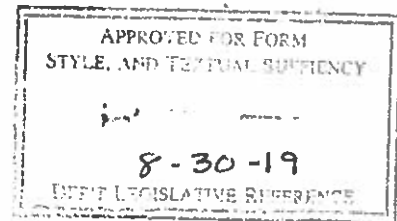
25 **SECTION 5. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all  
26 subsurface structures and appurtenances owned by any person other than the Mayor and City  
27 Council of Baltimore shall be removed by and at the expense of their owners, promptly upon  
28 notice to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

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

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



**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**



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Introduced by: The Council President  
At the request of: The Administration (Department of Transportation)

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A BILL ENTITLED

AN ORDINANCE concerning

**City Streets – Closing –  
Air Rights over a Portion of the Public Right of Way  
of the 200 Block of North Broadway**

FOR the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23A 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 air rights area over a portion of the public right of way of the 200 block of North Broadway, and more particularly described as follows:

Beginning for the same at a point formed by the intersection of the east side of North Broadway 132 feet wide and the north side of East Fayette Street 72 feet wide, the point also being in a horizontal plane having an elevation of 141.5 feet at its lower limit and an elevation of 254.0 feet at its upper limit, as referenced to the Baltimore City Vertical Datum, running thence the four following courses and distances the point also being in a horizontal plane 40.0 feet above street level at its lowest point; thence binding on the north side of East Fayette Street Westerly 10.5 feet to the new division line of the airspace over a portion of the public right of way of 201 North Broadway; thence on the new division line Northerly 174.5 feet; thence crossing North Broadway Easterly 10.5 feet to intersect the east side of North Broadway; and thence binding on the east side of North Broadway Southerly 174.5 feet to the point of beginning.

Containing 1,832 square feet or 0.042 acres, more or less.

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

As delineated on Plat 306-A-23A, prepared by the Survey Section and filed on January 22, 2019, in the Office of the Department of Transportation.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and closing of the air rights area over a portion of the public right of way of the 200 block of North Broadway and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Transportation and filed with the Department of Legislative Reference.

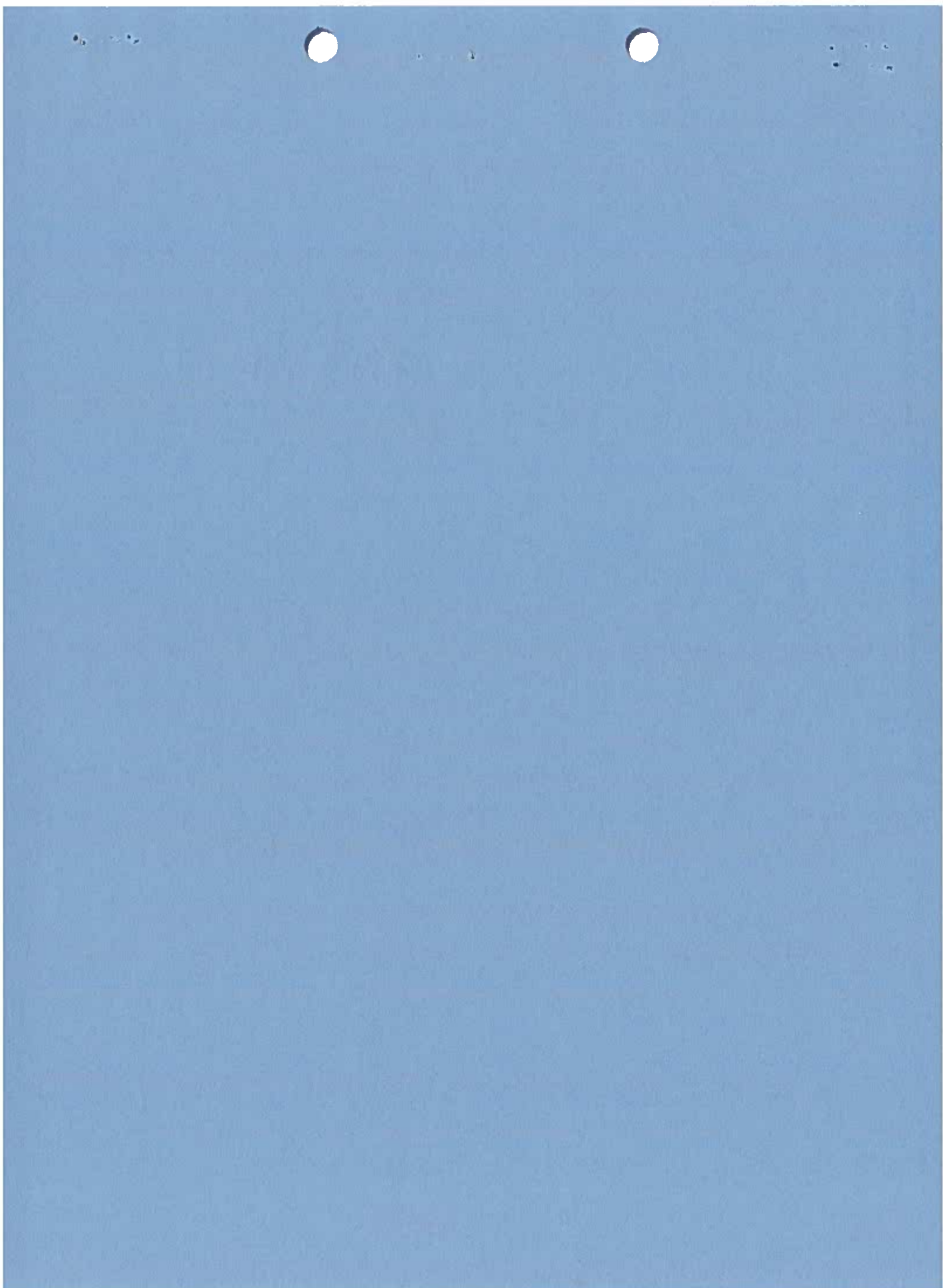
**SECTION 3. AND BE IT FURTHER ORDAINED,** That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the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

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

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

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

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



**ACTION BY THE CITY COUNCIL**

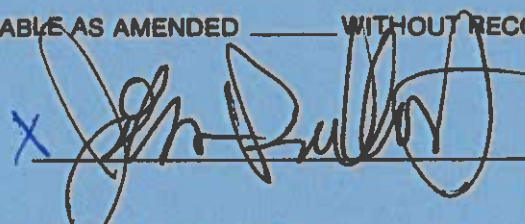
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FIRST READING (INTRODUCTION) \_\_\_\_\_ 20 \_\_\_\_\_

PUBLIC HEARING HELD ON \_\_\_\_\_ 20 \_\_\_\_\_

COMMITTEE REPORT AS OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ FAVORABLE \_\_\_\_\_ UNFAVORABLE \_\_\_\_\_ FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

X 

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

\_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

WITHDRAWAL \_\_\_\_\_ 20 \_\_\_\_\_

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

\_\_\_\_\_  
President

\_\_\_\_\_  
Chief Clerk