

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 22-0244

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: June 13, 2022
Assigned to: Economic and Community Development Committee

Committee Report: Favorable
Council action: Adopted
Read second time: July 25, 2022

AN ORDINANCE CONCERNING

1 City Streets – Closing – Three 10 Foot Alleys

2 FOR the purpose of condemning and closing: (1) a ten foot alley, extending from the
3 northwest side of Virginia Avenue Northwesterly 397 feet more or less, to the southeast side
4 of Woodland Avenue; (2) a ten foot alley extending from the northeast side of Homer
5 Avenue Northeasterly 150 feet more or less, to the southwest side of a ten foot alley; and (3)
6 a ten foot alley extending from the southeast side of Virginia Avenue Southwesterly 290.7
7 feet more or less, to the northwest side of a fifteen foot alley , as shown on a plat numbered
8 315-A-28A and filed in the Department of Transportation; and providing for a special
9 effective date.

10 BY authority of
11 Article I - General Provisions
12 Section 4
13 and
14 Article II - General Powers
15 Sections 2, 34, 35
16 Baltimore City Charter
17 (1996 Edition)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
19 Department of Transportation shall proceed to condemn and close: (1) a ten foot alley extending
20 from the northwest side of Virginia Avenue Northwesterly 397 feet more or less, to the southeast
21 side of Woodland Avenue; (2) a ten foot alley extending from the northeast side of Homer
22 Avenue Northeasterly 150 feet more or less, to the southwest side of a ten foot alley; and (3) a
23 ten foot alley extending from the southeast side of Virginia Avenue Southwesterly 290.7 feet
24 more or less, to the northwest side of a fifteen foot alley and more particularly described as
25 follows:

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 Beginning for Parcel 1 at the point formed by the intersection of the northwest side
2 of Virginia Avenue, 50 feet wide, and the southwest side of a 10 foot alley, said point
3 of beginning being distant Northeasterly 150 feet, more or less, measured along the
4 northwest side of said Virginia Avenue from the point formed the northeast side of
5 Homer Avenue, 50 feet wide, to the southwest side of said 10 foot alley; thence
6 binding on the southwest side of said 10 foot alley Northwesterly 397 feet, more or
7 less, to the southeast side of Woodland Avenue 50 feet wide; thence binding on the
8 southeast side of said Woodland Avenue, Northeasterly 10.0 feet to the northeast side
9 of said 10 foot alley; thence binding on the northeast side of said 10 foot alley
10 Southeasterly 397 feet, more or less, to intersect the northwest side of said Virginia
11 Avenue and thence binding on the northwest side of said Virginia Avenue,
12 Southwesterly 10 feet to the point of beginning, Block 4621.

13 Containing 3,970 square feet or 0.091 acres more or less.

14 Beginning for Parcel 2 at the point formed by the intersection of the northeast side
15 of Homer Avenue, 50 feet wide, and the northeast side of a 10 foot alley, said point
16 of beginning being distant Southeasterly 115 feet, more or less, measured along the
17 northeast side of said Homer Avenue from the southeast side of Woodland Avenue
18 50 feet wide; thence leaving the northeast side of said Homer Avenue, Northeasterly
19 150 to intersect the southwest side of said 10 foot alley; thence binding on the
20 southwest side of said 10 foot alley, Southeasterly 10 feet to the southeast side of said
21 alley; thence binding on the southeast side of said alley, Southwesterly 150 feet to
22 intersect northeast side of said Homer Avenue and thence binding on the northeast
23 side of said Homer Avenue, Northwesterly 10 feet to the point of beginning, Block
24 4621.

25 Containing 1,500 square feet or 0.034 acres more or less.

26 Beginning for Parcel 3 at the point formed by the intersection of the southwest side
27 of a 10 foot alley and southeast side of Virginia Avenue, 50 feet wide, said point of
28 beginning being distant Northeasterly 150 feet, more or less, measured along the
29 southwest side of said Virginia Avenue from the northeast side of said Homer
30 Avenue; thence binding on the northeast side of said Virginia Avenue, Northeasterly
31 10 feet to the northeast side of said 10 foot alley; thence binding on the northeast side
32 of said 10 foot alley, Southeasterly 290.7 feet, more or less, to intersect the northwest
33 side of a 15 foot alley; thence binding on the northwest side of said 15 foot alley,
34 Northwesterly 10.0 feet to southwest side of said 10 foot alley and thence binding on
35 the southwest side of said 10 foot alley, Northwesterly 290.7, feet more or less, to the
36 point of beginning, Block 3301.

37 Containing 2,907 square feet or 0.067 acres more or less.

38 As delineated on a plat numbered 315-A28A prepared by the Survey Control Section and filed on
39 March 17, 2022 in the Office of the Department of Transportation.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
2 closing of: (1) a ten foot alley extending from the northwest side of Virginia Avenue
3 Northwesterly 397 feet more or less, to the southeast side of Woodland Avenue; (2) a ten foot
4 alley extending from the northeast side of Homer Avenue Northeasterly 150 feet more or less, to
5 the southwest side of a ten foot alley; and (3) a ten foot alley extending from the southeast side of
6 Virginia Avenue Southwesterly 290.7 feet more or less, to the northwest side of a 15 foot alley
7 and the rights of all interested parties shall be regulated by and in accordance with all applicable
8 provisions of state and local law and with all applicable rules and regulations adopted by the
9 Director of Transportation and filed with the Department of Legislative Reference.

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

17 **SECTION 4. AND BE IT FURTHER ORDAINED,** That no building or structure of any kind
18 (including but not limited to railroad tracks) may be constructed or erected in or on any part of:
19 (1) a ten foot alley extending from the northwest side of Virginia Avenue Northwesterly 397 feet
20 more or less, to the southeast side of Woodland Avenue; (2) a ten foot alley extending from the
21 northeast side of Homer Avenue Northeasterly 150 feet more or less, to the southwest side of a
22 ten foot alley; and (3) a ten foot alley extending from the southeast side of Virginia Avenue
23 Southwesterly 290.7 feet more or less, to the northwest side of a fifteen foot alley, closed under
24 this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City
25 Council of Baltimore have been abandoned by the Mayor and City Council or, have been
26 removed and relaid in accordance with the specifications and under the direction of the Director
27 of Transportation of Baltimore City and at the expense of the person seeking to erect the building
28 or structure.

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

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

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

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Certified as duly passed this 25 day of July, 2022



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this 25 day of July, 2022

Natawna B. Austin

Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City