

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 22-0215

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: April 4, 2022
Assigned to: Economic and Community Development Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: July 25, 2022

AN ORDINANCE CONCERNING

1 **City Streets - Closing - Two 10 Foot Alleys**

2 FOR the purpose of condemning and closing of two 10 Foot Alleys bounded by East 23rd Street,
3 Greenmount Avenue and East 22nd $\frac{1}{2}$ Street, as shown on a plat numbered 303-A-19A, dated
4 September 14, 2021, prepared by the Survey Section, and filed in the Office of the
5 Department of Transportation; and providing for a special effective date.

6 BY authority of

7 Article I - General Provisions

8 Section 4

9 and

10 Article II - General Powers

11 Sections 2, 34, 35

12 Baltimore City Charter

13 (1996 Edition)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
15 Department of Transportation shall proceed to condemn and close two 10 foot alleys bounded by
16 East 23rd Street, Greenmount Avenue, and East 22nd $\frac{1}{2}$ Street and more particularly described as
17 follows:

18 **DESCRIPTION OF TWO 10 FOOT ALLEYS BOUNDED BY EAST 23RD STREET,**
19 **GREENMOUNT AVENUE, AND EAST 22ND $\frac{1}{2}$ STREET**

20 Beginning for Parcel 1 at the point formed by the intersection of the south side
21 of East 23rd Street 66 feet wide and the east side of a 10 foot alley, said point
22 of beginning being distant Westerly 294.50 feet more or less, measured along
23 the south side of said East 23rd Street from the west side of Greenmount
24 Avenue 66 feet wide; thence leaving the south side of said East 23rd Street and
25 binding on the east side of said 10 foot alley, Southerly 146 feet more or less,
26 to intersect the north side of East 22nd $\frac{1}{2}$ Street 66 feet wide; thence binding on
27 the north side of said East 22nd $\frac{1}{2}$ Street, Westerly 10 feet to the west side of

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 said 10 foot alley; thence binding on the west side of said 10 foot alley,
2 Northerly 146 feet more or less, to intersect the south side of said East 23rd
3 Street and thence binding on the south side of said East 23rd Street, Easterly 10
4 feet more or less, to the place of beginning.

5 Containing 1460.0 square feet or 0.0335 acres more or less

6 Beginning for Parcel 2 at the point formed by the intersection of the west side
7 of a 10 foot alley and the south side of another 10 foot alley, said point of
8 beginning being distant Northerly 46 feet more or less, measured along the
9 west side of said 10 foot alley from the north side of East 22nd $\frac{1}{2}$ Street 66 feet
10 wide; thence binding on the south side of said 10 foot alley Westerly 187 feet
11 more or less, to intersect the east side of another 10 foot alley; thence binding
12 on the east side of said 10 foot alley Northerly 10 feet to the north side of said
13 alley; thence binding on the north side of said 10 foot alley, Easterly 187 feet
14 more or less, to the west side of said 10 foot alley so projected and thence
15 binding on the west side of said 10 foot alley so projected Southerly 10 feet, to
16 the place of beginning.

17 Containing 1870.0 square feet or 0.0429 acres more or less

18 As delineated on a plat numbered 303-A-19A prepared by the Survey Section
19 and filed on September 15, 2021, in the Office of the Department of
20 Transportation.

21 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
22 closing of two 10 foot alleys bounded by East 23rd Street, Greenmount Avenue and East 22nd $\frac{1}{2}$
23 Street and the rights of all interested parties shall be regulated by and in accordance with all
24 applicable provisions of State and local law and with all applicable rules and regulations adopted
25 by the Director of Department of Transportation and filed with the Department of Legislative
26 Reference.

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

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

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

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

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City