

CITY OF BALTIMORE
COUNCIL BILL 14-0450
(First Reader)

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: November 10, 2014
Assigned to: Housing and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, 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 – A Portion of Creek Alley**

3 FOR the purpose of condemning and closing a portion of Creek Alley, extending from West West
4 Street Northeasterly 330 feet, more or less to West Cross Street, as shown on Plat 257-A-39A
5 in the Office of the Department of General Services; and providing for a special effective
6 date.

7 BY authority of

8 Article I - General Provisions
9 Section 4

10 and

11 Article II - General Powers
12 Sections 2, 34, 35
13 Baltimore City Charter
14 (1996 Edition)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
16 Department of General Services shall proceed to condemn and close a portion of Creek Alley,
17 extending from West West Street Northeasterly 330 feet, more or less, to West Cross Street, and
18 more particularly described as follows:

19 Beginning for Parcel No. 1 at the point formed by the intersection of the southeast
20 side of West Cross Street 66 feet wide, and the southeast side of Creek Alley 20
21 feet wide, the point of beginning being distant Northwesterly 155 feet, more or
22 less, measured along the southeast side of West Cross Street, from the northwest
23 side of Race Street 66 feet wide, and running thence binding on the southeast side
24 of Creek Alley Southwesterly 330 feet, more or less, to intersect the northeast side
25 of West West Street, thence binding on the northeast side of West West Street
26 Northwesterly 20 feet, to the northwest side of Creek Alley, thence binding on the
27 northwest side of the alley, Northeasterly 330 feet, more or less, to intersect the
28 southwest side of West Cross Street, and thence binding on the southwest side of
29 West Cross Street Southeasterly 20 feet 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 As delineated on Plat 257-A-39A, prepared by the Survey Control Section and filed on July 31,
2 2014, in the Office of the Department of General Services.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and
4 closing of Creek Alley, extending from West West Street northeasterly 330 feet, more or less, to
5 West Cross Street, and the rights of all interested parties shall be regulated by and in accordance
6 with all applicable provisions of state and local law and with all applicable rules and regulations
7 adopted by the Director of General Services and filed with the Department of Legislative
8 Reference.

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

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

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

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

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