

CITY OF BALTIMORE
COUNCIL BILL 15-0488
(First Reader)

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: March 9, 2015
Assigned to: Housing and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: 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 –**
3 **A 10-Foot Alley Laid out in the Rear of 1701 North Charles Street and**
4 **A 10-Foot Alley Laid out in the Rear of 22-24 and 30 East Lanvale Street**

5 FOR the purpose of condemning and closing (1) a 10-foot alley laid out in the rear of the property
6 known as 1701 North Charles Street and (2) a 10-foot alley laid out in the rear of the
7 properties known as 22-24 and 30 East Lanvale Street, as shown on Plat 227-A-22A in the
8 Office of the Department of General Services; and providing for a special effective date.

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

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Department of General Services shall proceed to condemn and close (1) a 10-foot alley laid out
19 in the rear of the property known as 1701 North Charles Street and (2) a 10-foot alley laid out in
20 the rear of the properties known as 22-24 and 30 East Lanvale Street, and more particularly
21 described as follows:

22 Parcel 1

23 Beginning for Parcel No. 1 at a point on the north side of East Lanvale Street
24 66 feet wide, the point of beginning being distant easterly 95.0 feet, measured
25 along the north side of East Lanvale Street from the east side of North Charles
26 Street 66 feet wide, running thence the following courses and distances:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the proceedings for the condemnation and
2 closing of the alleys and the rights of all interested parties shall be regulated by and in accordance
3 with all applicable provisions of state and local law and with all applicable rules and regulations
4 adopted by the Director of General Services and filed with the Department of Legislative
5 Reference.

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

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

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

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

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