

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 15-0519

Introduced by: The Council President
At the request of: The Administration (Department of General Services)
Introduced and read first time: April 20, 2015
Assigned to: Housing and Community Development Committee
Committee Report: Favorable
Council action: Adopted
Read second time: June 15, 2015

AN ORDINANCE CONCERNING

**City Streets – Closing – 2 10-Foot Alleys between Lafayette Avenue,
Lanvale Street, Barclay Street, and Greenmount Avenue**

FOR the purpose of condemning and closing 2 10-foot alleys between Lafayette Avenue, Lanvale Street, Barclay Street, and Greenmount Avenue, as shown on Plat 202-A-61A in the Office of the Department of General Services; 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 General Services shall proceed to condemn and close 2 10-foot alleys between Lafayette Avenue, Lanvale Street, Barclay Street, and Greenmount Avenue, and more particularly described as follows:

Beginning for Parcel 2 at the point formed by the intersection of the south side of a 10-foot alley, running parallel with Lafayette Avenue 66 feet wide, and the west side of another 10-foot alley lying in the rear of the properties known as 1701 through 1723 Brentwood Avenue, 20 feet wide, the point of beginning being 50.00 feet from the east side of Brentwood Avenue, running thence and binding on the south side of the alley firstly mentioned,

1. North 87° 08' 43" East 10.00 feet to the east side of the 10-foot alley secondly mentioned herein, thence binding on the alley

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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2. South 02° 54' 31" East 135.00 feet, to intersect the north side of another 10-foot alley, running parallel with Lanvale Street, thence
3. South 87° 08' 43" West 10.00 feet to the west side of the 10-foot alley secondly mentioned herein, thence binding on the alley
4. North 02° 54' 31" West 135.00 feet to the point of beginning.

Containing; 1,350 square feet or 0.0310 acres, more or less, as surveyed in February of 2014, by S.J. Martenet and Company, Inc.

Beginning for Parcel 3 at the point formed by the intersection of the south side of a 10-foot alley, running parallel with Lafayette Avenue 66 feet wide, and the west side of another 10-foot alley lying in the rear of the properties known as 1713 through 1727 Barclay Street 66 feet wide, the point of beginning being 92.00 feet from the east side of Barclay Street, running thence binding on the south side of the alley firstly mentioned,

1. North 87° 08' 43" East 10.00 feet to the east side of the 10-foot alley secondly mentioned herein, thence binding on the alley
2. South 02° 54' 31" East 120.00 feet, to intersect the north side of another 10-foot alley, running parallel with Lanvale Street, thence
3. South 87° 08' 43" West 10.00 feet to the west side of the 10-foot alley, secondly mentioned herein, thence
4. North 02° 54' 31" West 120.00 feet to the point of beginning.

Containing; 1,200 square feet or 0.0275 acres, more or less, as surveyed in February of 2014, by S.J. Martenet and Company, Inc.

As delineated on Plat 202-A-61A, prepared by S.J. Martenet Company, Inc., and filed on February 24, 2014, in the Office of the Department of General Services.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the alleys 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 General Services 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.

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

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

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

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

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

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20____

Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City