CITY OF BALTIMORE ORDINANCE ____ Council Bill 15-0488

Introduced by: The Council President

At the request of: The Administration (F

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

Committee Report: Favorable Council action: Adopted

Read second time: June 22, 2015

AN ORDINANCE CONCERNING

1 2 3	City Streets — Closing — A 10-Foot Alley Laid out in the Rear of 1701 North Charles Street and A 10-Foot Alley Laid out in the Rear of 22-24 and 30 East Lanvale Street		
4	FOR the purpose of condemning and closing (1) a 10-foot alley laid out in the rear of the property		
5	known as 1701 North Charles Street and (2) a 10-foot alley laid out in the rear of the		
6 7	properties known as 22-24 and 30 East Lanvale Street, as shown on Plat 227-A-22A in the Office of the Department of General Services; and providing for a special effective date.		
8	BY authority of		
9	Article I - General Provisions		
10	Section 4		
11	and		
12	Article II - General Powers		
13	Sections 2, 34, 35		
14	Baltimore City Charter		
15	(1996 Edition)		
16	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the		
17	Department of General Services shall proceed to condemn and close (1) a 10-foot alley laid out		
18	in the rear of the property known as 1701 North Charles Street and (2) a 10-foot alley laid out in		
19	the rear of the properties known as 22-24 and 30 East Lanvale Street, and more particularly		
20	described as follows:		
21	Parcel 1		
22	Beginning for Parcel No. 1 at a point on the north side of East Lanvale Street		
23	66 feet wide, the point of beginning being distant easterly 95.0 feet, measured		
24	along the north side of East Lanvale Street from the east side of North Charles		
25	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.

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 2 3 4 5 6	1. Northerly, for a distance of 85.0 feet, binding on the west side of a 10-foot alley to intersect the tenth line of a plat entitled, "Subdivision Plan 1711-1717 North Charles Street," dated December 28, 1992 and recorded among the Baltimore City Plat Records in SEB 3427; thence binding reversely and partly on the tenth line				
7 8 9	2. Easterly, for a distance of 10.0 feet, to intersect the corner formed by the north side of a 5-foot alley and the east side of the 10-foot alley; thence				
10 11 12 13	3. Southerly, at a right angle, for a distance of 85.0 feet, binding on the west side of the 5-foot alley and continuing along the east side of the 10-foot alley to the north side of East Lanvale Street; thence				
14 15	4. Westerly for a distance of 10.0 feet, binding on the north side of East Lanvale Street, to the point of beginning.				
16	Containing 850 square feet or 0.0195 acres.				
17 18	As delineated on a plat numbered 227-A-22A prepared by the Survey Section and filed or August 25, 2014, in the Office of the Department of General Services.				
19	Parcel 2				
20	Beginning for Parcel No. 2 at a point on the east side of Lovegrove Street, the				
21	point being distant northerly 90.0 feet from the north side of East Lanvale Street				
22	66 feet wide, the point being the end of the fourth line of that parcel of land in a				
22 23	deed dated August 25, 1966 and recorded in the Land Records of Baltimore City				
24	in Liber JFC 2119 Folio 298 running thence reversely and binding in part on the				
25 26	fourth line along the north side of a 10-foot alley, the following courses and distances:				
27 28	1. Easterly, the distance of 74.25 feet, to a point in or near the center of a 21-foot alley; thence				
29	2. Southerly, at a right angle for a distance of 10.0 feet; thence				
30	3. Westerly, for a distance of 74.25 feet, binding on the south side				
31	of the 10-foot alley; thence				
32	4. Northerly for a distance of 10.0, to the point of beginning.				
33	Containing 742.5 square feet or 0.017 acres.				
34 35	As delineated on a plat numbered 227-A-22A prepared by the Survey Section and filed or August 25, 2014, in the Office of the Department of General Services.				

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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.

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

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

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

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

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Certified as duly passed this	day of	, 20
		President, Baltimore City Council
Certified as duly delivered to Her	r Honor, the Mayor	r,
this day of	_, 20	
		Chief Clerk
Approved this day of	, 20	_
		Mayor, Baltimore City