

**CITY OF BALTIMORE  
COUNCIL BILL 19-0436  
(First Reader)**

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Introduced by: The Council President

At the request of: The Administration (Department of Transportation)

Introduced and read first time: September 9, 2019

Assigned to: Housing and Urban Affairs Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Department of Transportation, Baltimore Development Corporation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Streets – Closing –**  
3 **Three 10-Foot Alleys**

4 FOR the purpose of condemning and closing (1) a 10-foot alley extending from the west side of  
5 Delaware Avenue Southwesterly 128.5 feet, more or less, (2) a 10-foot alley extending from  
6 the northwest side of Virginia Avenue Northwesterly 395.0 feet, more or less, to the  
7 southeast side of Woodland Avenue, and (3) a 10-foot alley extending from the west side of  
8 Delaware Avenue Southwesterly 198.5 feet, more or less, as shown on Plat 298-A-17A in the  
9 Office of the Department of Transportation; and providing for a special effective date.

10 BY authority of  
11 Article I - General Provisions  
12 Section 4  
13 and  
14 Article II - General Powers  
15 Sections 2, 34, 35  
16 Baltimore City Charter  
17 (1996 Edition)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
19 Department of Transportation shall proceed to condemn and close (1) a 10-foot alley extending  
20 from the west side of Delaware Avenue Southwesterly 128.5 feet, more or less, (2) a 10-foot  
21 alley extending from the northwest side of Virginia Avenue Northwesterly 395.0 feet, more or  
22 less, to the southeast side of Woodland Avenue, and (3) a 10-foot alley extending from the west  
23 side of Delaware Avenue Southwesterly 198.5 feet, more or less, and more particularly described  
24 as follows:

25 Beginning for Parcel No. 1 at the point formed by the intersection of the west side  
26 of Delaware Avenue 50 feet wide, and the southeast side of a 10-foot alley, the  
27 point of beginning being distant Northwesterly 100 feet, more or less, measured  
28 along the west side of Delaware Avenue from the point formed by the intersection  
29 of the west side of Delaware Avenue and the northwest side of Virginia Avenue

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

**Council Bill 19-0436**

1 50 feet wide; thence binding on the southeast side of the 10-foot alley  
2 Southwesterly 128.5 feet, more or less, to intersect the northeast side of another  
3 10-foot alley; thence binding on the northeast side of the 10-foot alley secondly  
4 mentioned herein Northwesterly 10.0 feet to intersect the northwest side of the 10-  
5 foot alley firstly mentioned herein; thence binding on the northwest side of the 10-  
6 foot alley firstly mentioned herein, Northeasterly 132.1 feet, more or less, to  
7 intersect the west side of Delaware Avenue; and thence binding on the west side  
8 of Delaware Avenue Southeasterly 10.6 feet, more or less, to the point of  
9 beginning.

10 Containing 1,303 square feet or 0.030 acres of land, more or less.

11 Beginning for Parcel No. 2 at the point formed by the intersection of the northwest  
12 side of Virginia Avenue 50 feet wide, and the southwest side of a 10-foot alley,  
13 the point of beginning being distant Northeasterly 170 feet, more or less,  
14 measured along the northwest side of Virginia Avenue from the point formed by  
15 the intersection of the northwest side of Virginia Avenue and the northeast side of  
16 Park Heights Avenue 85 feet wide; thence binding on the southwest side of the  
17 10-foot alley Northwesterly 395.0 feet, more or less, to intersect the southeast side  
18 of Woodland Avenue 50 feet wide; thence binding on the southeast side of  
19 Woodland Avenue Northeasterly 10.0 feet to intersect northeast side of the 10-  
20 foot alley; thence binding on the northeast side of the 10-foot alley Southeasterly  
21 395.0 feet, more or less, to intersect the northwest side of Virginia Avenue and  
22 thence binding on the northwest side of Virginia Avenue Southwesterly 10.0 feet  
23 to the point of beginning.

24 Containing 3,950 square feet or 0.091 acres of land, more or less.

25 Beginning for Parcel No. 3 at the point formed by the intersection of the west side  
26 of Delaware Avenue 50 feet wide, and the northwest side of a 10-foot alley, the  
27 point of beginning being distant Southeasterly 100 feet, more or less, measured  
28 along the west side of Delaware Avenue from the point formed by the intersection  
29 of the west side of Delaware Avenue and the southeast side of Woodland Avenue  
30 50 feet wide; thence binding on the west side of Delaware Avenue Southerly 10.6  
31 feet, more or less, to intersect the southeast side of the 10-foot alley; thence  
32 binding on the southeast side of the 10-foot alley Southwesterly 198.5 feet to  
33 another 10-foot alley; thence binding on the northeast side of the 10-foot alley  
34 secondly mentioned herein Northwesterly 10.0 feet to intersect the northwest side  
35 of the 10-foot alley firstly mentioned herein and thence binding on the northwest  
36 side of the 10-foot alley firstly mentioned herein Northeasterly 202.2 feet, more or  
37 less, to the point of beginning.

38 Containing 2,002 square feet or 0.046 acres of land, more or less.

39 As delineated on Plat 298-A-17A, prepared by the Survey Section and filed on March 26, 2019,  
40 in the Office of the Department of Transportation.

41 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the proceedings for the condemnation and  
42 closing of the 3 10-foot alleys and the rights of all interested parties shall be regulated by and in  
43 accordance with all applicable provisions of state and local law and with all applicable rules and

## Council Bill 19-0436

1 regulations adopted by the Director of Transportation and filed with the Department of  
2 Legislative Reference.

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

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

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

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

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