



Legislation Details (With Text)

File #: 08-0235 **Version:** 0 **Name:** City Streets - Closing - Diamond Street
Type: Ordinance **Status:** Enacted
File created: 11/24/2008 **In control:** City Council
On agenda: **Final action:** 4/7/2009
Enactment date: **Enactment #:** 09-158
Title: City Streets - Closing - Diamond Street

FOR the purpose of condemning and closing Diamond Street, extending from Fayette Street northerly 220.2 feet, more or less, to Shad Alley, as shown on Plat 347-A-63A in the Office of the Department of Public Works; and providing for a special effective date.

Sponsors: City Council President (Administration)

Indexes: Closing, Streets

Code sections:

Attachments: 1. 08-0235 - 1st Reader.pdf, 2. BDC - 08-0235.pdf, 3. Planning - 08-0235.pdf, 4. HCD - 08-0235.pdf, 5. Transportation - 08-0235.pdf, 6. DPW - 08-0235.pdf, 7. 08-0235 - 3rd Reader.pdf

Date	Ver.	Action By	Action	Result
4/7/2009	0	Mayor	Signed by Mayor	
3/30/2009	0	City Council	Approved and Sent to the Mayor	
3/23/2009	0	Highways and Franchises Subcommittee	Recommended Favorably	
3/23/2009	0	City Council	Advanced to 3rd Rdr., Adopted Comm. Report	
2/23/2009	0	Highways and Franchises Subcommittee	Scheduled for a Public Hearing	
11/27/2008	0	The City Council	Referred for a Report	
11/27/2008	0	The City Council	Referred for a Report	
11/27/2008	0	The City Council	Referred for a Report	
11/27/2008	0	The City Council	Referred for a Report	
11/27/2008	0	The City Council	Referred for a Report	
11/24/2008	0	City Council	Assigned	
11/24/2008	0	City Council	Introduced	

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CITY OF BALTIMORE
COUNCIL BILL

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)

A BILL ENTITLED

AN ORDINANCE concerning
City Streets - Closing - Diamond Street

FOR the purpose of condemning and closing Diamond Street, extending from Fayette Street northerly 220.2 feet, more or less, to Shad Alley, as shown on Plat 347-A-63A in the Office of the Department of Public Works; 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 Public Works shall proceed to condemn and close Diamond Street, extending from Fayette Street northerly 220.2 feet, more or less, to Shad Alley, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the north side of Fayette Street, 66 feet wide, and the east side of Diamond Street, 20 feet wide, said point of beginning being distant westerly 150.0 feet, more or less, measured along the north side of said Fayette Street from the west side of Paca Street, 82.5 feet wide, and running thence binding on the north side of said Fayette Street, Westerly 20.0 feet to intersect the west side of said Diamond Street; thence binding on the west side of said Diamond Street, Northerly 220.2 feet, more or less, to intersect the line of the south side of Shad Alley, 12 feet wide, if projected easterly; thence binding on the line of the south side of said Shad Alley, so projected, and at a right angle to said Diamond Street, Easterly 20.0 feet to intersect the east side of said Diamond Street, and thence binding on the east side of said Diamond Street, Southerly 220.2 feet, more or less, to the place of beginning.

As delineated on Plat 347-A-63A, prepared by the Survey Control Section and filed on October 3, 2003, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of Diamond Street 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 Public Works 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 street 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 Public Works 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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