



Legislation Text

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Introductory*

**City of Baltimore
Council Bill**

Introduced by: The Council President

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

A Bill Entitled

An Ordinance concerning

City Streets - Closing - Beds of 2 10-Foot Alleys Bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue

For the purpose of condemning and closing the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, as shown on Plat 70-A-3021A in the Office of the Department of Transportation; 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 Transportation shall proceed to condemn and close the beds of 2 10-foot alleys bounded by West 27th Street, Fox Street, West 28th Street, and Remington Avenue, and more particularly described as follows:

Beginning for Parcel Number 1 at a point on the 4th or Northeasterly 80-foot line of a parcel of land described in a deed dated August 21st, 2013 by and between AKKQ, LLC and Millers Square, LLC recorded among the Land Records of Baltimore City in Liber FMC 15598, folio 181 located 5.00 feet from the beginning thereof, the point of beginning being also located at the intersection of the Northeast side of a 10-foot alley and the Southwest side of another 10-foot alley; the point of beginning being distant southwesterly 75.00 feet from the southeast side of Remington Avenue (96 feet wide) thence binding on the Northeast side of the 10-foot alley mentioned firstly herein

1. Southeasterly 48 feet, more or less, to intersect the 4th or Southwesterly 150 foot line of a parcel of land described in a deed dated June 5th, 2013 by and between Susan L. Lawson and Millers Square, LLC recorded among the Land Records of Baltimore City in Liber FMC 15301, folio 399; thence

2. Southwesterly 10 feet thence;
3. Northwesterly 48 feet, more or less; and thence
4. Northeasterly 10 feet, to the point of beginning.

Containing 480 square feet or 0.011 acres, more or less.

Beginning for Parcel Number 2 at a point formed by the intersection of the Northwest side of a 10-foot alley and the Northeast side of Fox Street, 20 feet wide, the point of beginning being distant Southeasterly 70.00 feet measured along the Northeast side of Fox Street from a point formed by the intersection of the Southeast side of West 28th Street, 66 feet wide, and the Northeast side of Fox Street; thence departing the Northeast side of Fox Street and binding on the Northwest side of the 10-foot alley

1. Northeasterly 150 feet, more or less, to intersect the Southwest side of Remington Avenue, 96 feet wide; thence binding on part of the Southwest side of Remington Avenue;
2. Southeasterly 10 feet, to a point formed by the intersection of the Southwest side of Remington Avenue and the Southeast side of the 10-foot alley; thence departing the Southwest side of Remington Avenue and binding on the Southeast side of the 10-foot alley;
3. Southwesterly 150 feet, more or less, to intersect the Northeast side of Fox Street; thence binding on part of the Northeast side of Fox Street;
4. Northwesterly 10 feet, to the point of beginning.

Containing 1,500 square feet, or 0.034 acres, more or less.

As delineated on Plat 70-A-3021A, prepared by the Survey Section and filed on December 22, 2015, in the Office of the Department of Transportation.

Section 2. And be it further ordained, That the proceedings for the condemnation and closing of the beds of 2 10-foot 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 Transportation 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 Transportation 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.