



Legislation Text

File #: 16-0742, **Version:** 0

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
A Bill Entitled

An Ordinance concerning
City Streets - Closing - A Portion of Creek Alley

For the purpose of condemning and closing a portion of Creek Alley, extending from W. West Street southeasterly 56 feet to the southernmost extremity thereof, as shown on Plat 257-A-40A 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 a portion of Creek Alley, extending from W. West Street southeasterly 56 feet to the southernmost extremity thereof, and more particularly described as follows:

Beginning for Parcel 1 at the point formed by the intersection of the south side of W. West Street 66 feet wide, and the east side of Creek Alley 20 feet wide, the point of beginning being distant 155 feet, more or less, measured along the north side of W. West Street from the west side of Race Street 66 feet wide, thence binding on the west side of Race Street Southwesterly 56 feet to intersect the rear property line of the address known as 101 W. West Street, thence binding on the rear property line of the property northwesterly 20 feet to the northwest side of Creek Alley, thence binding on the northwest side of Creek Alley northeasterly 56 feet, to intersect the south side of W. West Street, and thence binding southeasterly 20 feet to the point of beginning.

As delineated on Plat 257-A-40A, prepared by the Survey Control Section and filed on September 1, 2016, in the Office of the Department of Transportation.

Section 2. And be it further ordained, That the proceedings for the condemnation and closing of a portion of Creek Alley 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 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 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.