



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 Public Works)
A BILL ENTITLED

AN ORDINANCE concerning
City Streets - Closing - 2 10-Foot Alleys

FOR the purpose of condemning and closing (1) a 10-foot alley laid out in the rear of the properties formerly known as Nos. 2203 through 2227 North Howard Street and (2) a 10-foot alley laid out contiguous to the north outline of the property formerly known as No. 2214 Mace Street, as shown on Plat 114-A-47A 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 (1) a 10-foot alley laid out in the rear of the properties formerly known as Nos. 2203 through 2227 North Howard Street and (2) a 10-foot alley laid out contiguous to the north outline of the property formerly known as No. 2214 Mace Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of a 10-foot alley laid out in the rear of the properties formerly known as Nos. 2203 through 2227 N. Howard Street and the south side of 23rd Street, 66 feet wide, said point of beginning being distant easterly 90.0 feet, more or less, measured along the south side of said 23rd Street from the east side of Howard Street, 66 feet wide, and running thence binding on the south side of said 23rd Street, Easterly 10.0 feet to intersect the east side of said 10-foot alley; thence binding on the east side of said 10-foot alley, Southerly 176.0 feet, more or less, to intersect the line of the north outline of the property known as No. 2205 N. Howard Street, if projected easterly; thence binding reversely on said line, so projected, Westerly 10.0 feet to intersect the west side of said 10-foot alley, and

thence binding on the west side of said 10.0-foot alley, Northerly 176.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the north side of a 10-foot alley laid out contiguous to the north outline of the property formerly known as No. 2214 Mace Street and the west side of Mace Street, 20 feet wide, said point of beginning being distant southerly 100.0 feet, more or less, measured along the west side of said Mace Street, from the south side of 23rd Street, 66 feet wide, and running thence binding on the west side of said Mace Street, Southerly 10.0 feet to intersect the south side of said 10-foot alley; thence binding on the south side of said 10-foot alley, Westerly 50.0 feet, more or less, to intersect the east side of a 10-foot alley laid out in the rear of the properties formerly known as Nos. 2203 through 2227 N. Howard Street; thence binding on the east side of last said 10-foot alley, Northerly 10.0 feet to intersect the north said of said 10-foot alley, mentioned firstly herein, and thence binding on the north side of said 10-foot alley, mentioned firstly herein, Easterly 50.0 feet, more or less, to the place of beginning.

As delineated on Plat 114-A-47A, prepared by the Survey Control Section and filed on September 3, 2008, 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 the 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 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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