



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 16-0681, **Version:** 0

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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 - A Portion of West Franklin Street

FOR the purpose of condemning and closing a portion of West Franklin Street, extending from Allendale Street easterly 105 feet to the east side of a 15-foot alley, as shown on Plat 306-A-22A 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 West Franklin Street, extending from Allendale Street easterly 105 feet to the east side of a 15-foot alley, and more particularly described as follows:

Beginning for Parcel 1 at the point formed by the intersection of a point on the east side of Allendale Street 66 feet wide, and a point on the north side of West Franklin Street 60 feet wide, said point of being distant 90 feet measured along the south outline of the property known as No. 501 Allendale Street from the west side of a 15-foot alley; thence binding on the south side of said property North 87° 21' 45" East 105.00 feet to intersect the east side of said 15-foot alley; thence binding on said 15-foot alley South 02° 21' 15" West 60.00 feet to intersect the south side of West Franklin Street; thence binding on the south side of West Franklin Street South 87° 21' 45" West 105.00 feet to intersect the east side of Allendale Street; and thence binding on the east side of Allendale Street

North 02? 21? 15? East 60.00 feet to the place of beginning.

As delineated on Plat 306-A-22A, prepared by the Survey Section and filed on May 6, 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 West Franklin 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 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 when it is enacted.

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