



Legislation Text

File #: 14-0459, **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 General Services)

A BILL ENTITLED

AN ORDINANCE concerning
City Streets - Closing - Certain Alleys in the Area Bounded by West 29th Street, Fox Street, West 28th Street, and Huntingdon Avenue

FOR the purpose of condemning and closing a 3-foot alley and a 4-foot alley in the area bounded by West 29th Street, Fox Street, West 28th Street, and Huntingdon Avenue, as shown on Plat 309-A-27A in the Office of the Department of General Services; 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 General Services shall proceed to condemn and close a 3-foot alley and a 4-foot alley in the area bounded by West 29th Street, Fox Street, West 28th Street, and Huntingdon Avenue, and more particularly described as follows:

Beginning for Parcel Number 1 at a point on the southwest side of West 29th Street 66 feet wide, located Northeasterly at a distance of 81.00 feet from a point formed by the intersection of the southeast side of said West 29th Street and the southeast side of Huntingdon Avenue 100 feet wide, binding on the southeast side of West 29th Street, the beginning of the second line in a deed dated November 6, 2007 and recorded in in the Baltimore City Land Records in Liber FMC 10411, Folio 356, the following courses and distances:

1. Northeasterly, binding on the southeastern most side of West 29th Street for a distance of 3.00 feet to a to the beginning of the first line and the sixth part from a deed dated July 22, 1991 and recorded in the Baltimore City Land Records in Liber SEB 2920, Folio 184 thence;

2. Southeasterly, at a right angle, binding on fourth line and the sixth part from said deed, dated July 22, 1991 and recorded in the Baltimore City Land Records in Liber SEB 2920, Folio 184, for a distance of 41.75 feet to the beginning of the fourth line from a deed dated December 21, 1989 and recorded in the Baltimore city Land Records in Liber SEB 2384, Folio 492 thence;
3. Southwesterly, at a right angle, for a distance of 3.00 feet, to the beginning of the third line from a deed dated November 6, 2007 in the Baltimore City Land Records in Liber FMC 10411, Folio 356 thence;
4. Northwesterly, at a right angle, binding of said second line from a deed dated November 6, 2007 in the Baltimore City Land Records in Liber FMC 10411, Folio 356 southwesternmost side of said alley, for a distance of 41.75 feet, to the point of beginning.

Containing 125 square feet, or 0.0029 acres, more or less.

Beginning for Parcel Number 2 at a point on the southwest side of Fox Street 20 feet wide, said point being located southeasterly the distance of 55.00 feet, from a point formed by the intersection of the southwest side of said West 29th Street and the southwest side of said Fox Street, thence binding on the southwest side of said Fox Street, the following courses and distances:

1. Southeasterly, binding on the southwestern most side of said Fox Street, the distance of 4.00 feet to the beginning of the first line and eleventh part from a deed dated July 22, 1991 in the Baltimore City Land Records in Liber SEB 2920, Folio 184 thence;
2. Southwesterly, at a right angle, binding on the fourth line and eleventh part from said deed dated July 22, 1991 in the Baltimore City Land Records in Liber SEB 2920, Folio 184 the distance of 70.00 feet to a corner formed by the same line mentioned of the above said deed and the southeast side of a 10.00 foot alley, thence;
3. Northwesterly, at a right angle, the distance of 4.00 feet, to a corner formed by the southwest side of the third line and sixth part in a deed dated July 22, 1991 and recorded in the Baltimore City Land Records in Liber SEB 2920, Folio 184 and the northeast side of a 10.00 foot alley thence;
4. Northeasterly, at a right angle, running parallel with the fourth line and eleventh part from said deed dated July 22, 1991 in the Baltimore City Land Records in Liber SEB 2920, Folio 184 the distance of 70.00 feet, to the point of beginning.

Containing 280 square feet, or 0.0064 acres, more or less.

As delineated on Plat 309-A-27A, prepared by the Survey Control Section and filed on July 1, 2014, in the Office of the Department of General Services.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the 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 General Services 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 General Services 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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