



Legislation Text

File #: 19-0436, 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 - Three 10-Foot Alleys

For the purpose of condemning and closing (1) a 10-foot alley extending from the west side of Delaware Avenue Southwesterly 128.5 feet, more or less, (2) a 10-foot alley extending from the northwest side of Virginia Avenue Northwesterly 395.0 feet, more or less, to the southeast side of Woodland Avenue, and (3) a 10-foot alley extending from the west side of Delaware Avenue Southwesterly 198.5 feet, more or less, as shown on Plat 298-A-17A 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 (1) a 10-foot alley extending from the west side of Delaware Avenue Southwesterly 128.5 feet, more or less, (2) a 10-foot alley extending from the northwest side of Virginia Avenue Northwesterly 395.0 feet, more or less, to the southeast side of Woodland Avenue, and (3) a 10-foot alley extending from the west side of Delaware Avenue Southwesterly 198.5 feet, more or less, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the west side of Delaware Avenue 50 feet wide, and the southeast side of a 10-foot alley, the point of beginning being distant Northwesterly 100 feet, more or less, measured along the west side of Delaware Avenue from the point formed by the intersection of the west side of Delaware Avenue and the northwest side of Virginia Avenue 50 feet wide; thence binding on the southeast side of the 10-foot alley Southwesterly 128.5 feet, more or less, to intersect the northeast side of another 10-foot alley; thence binding on the northeast side of the 10-foot alley secondly mentioned herein Northwesterly 10.0 feet to intersect the northwest side of the

10-foot alley firstly mentioned herein; thence binding on the northwest side of the 10- foot alley firstly mentioned herein, Northeasterly 132.1 feet, more or less, to intersect the west side of Delaware Avenue; and thence binding on the west side of Delaware Avenue Southeasterly 10.6 feet, more or less, to the point of beginning.

Containing 1,303 square feet or 0.030 acres of land, more or less.

Beginning for Parcel No. 2 at the point formed by the intersection of the northwest side of Virginia Avenue 50 feet wide, and the southwest side of a 10-foot alley, the point of beginning being distant Northeasterly 170 feet, more or less, measured along the northwest side of Virginia Avenue from the point formed by the intersection of the northwest side of Virginia Avenue and the northeast side of Park Heights Avenue 85 feet wide; thence binding on the southwest side of the 10-foot alley Northwesterly 395.0 feet, more or less, to intersect the southeast side of Woodland Avenue 50 feet wide; thence binding on the southeast side of Woodland Avenue Northeasterly 10.0 feet to intersect northeast side of the 10-foot alley; thence binding on the northeast side of the 10-foot alley Southeasterly 395.0 feet, more or less, to intersect the northwest side of Virginia Avenue and thence binding on the northwest side of Virginia Avenue Southwesterly 10.0 feet to the point of beginning.

Containing 3,950 square feet or 0.091 acres of land, more or less.

Beginning for Parcel No. 3 at the point formed by the intersection of the west side of Delaware Avenue 50 feet wide, and the northwest side of a 10-foot alley, the point of beginning being distant Southeasterly 100 feet, more or less, measured along the west side of Delaware Avenue from the point formed by the intersection of the west side of Delaware Avenue and the southeast side of Woodland Avenue 50 feet wide; thence binding on the west side of Delaware Avenue Southerly 10.6 feet, more or less, to intersect the southeast side of the 10-foot alley; thence binding on the southeast side of the 10-foot alley Southwesterly 198.5 feet to another 10-foot alley; thence binding on the northeast side of the 10-foot alley secondly mentioned herein Northwesterly 10.0 feet to intersect the northwest side of the 10-foot alley firstly mentioned herein and thence binding on the northwest side of the 10-foot alley firstly mentioned herein Northeasterly 202.2 feet, more or less, to the point of beginning.

Containing 2,002 square feet or 0.046 acres of land, more or less.

As delineated on Plat 298-A-17A, prepared by the Survey Section and filed on March 26, 2019, 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 3 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 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.