



Legislation Text

File #: 19-0363, Version: 0

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The official copy considered by the City Council is the first reader copy.

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 Variable Width Alley, Located Between 2 10-Foot Alleys Bounded by Boone Street, East 22nd Street, Greenmount Avenue, and East 23rd Street
For the purpose of condemning and closing a variable width alley, located between 2 10-foot alleys bounded by Boone Street, East 22nd Street, Greenmount Avenue, and East 23rd Street, as shown on Plat 284-A-15A 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 variable width alley, located between 2 10-foot alleys bounded by Boone Street, East 22nd Street, Greenmount Avenue, and East 23rd Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of a 10-foot alley and the north side of a variable width alley, the point of beginning being distant Westerly 100.2 feet, more or less, measured along the south side of the 10-foot alley from the west side of Boone Street 45 feet wide; thence binding on the east side of the variable width alley Southerly 60.1 feet, more or less, to the north side of a 10-foot alley; thence binding on the north side of the 10-foot alley Westerly 17.6 feet, more or less, to the west side of the variable width alley; thence binding on the west side of the variable width alley Northerly 59.9 feet, more or less, to the south side of the 10-foot alley mentioned firstly herein; and thence binding on the south side of the 10-foot alley mentioned firstly herein Easterly 12.9 feet, more or less, to the place of beginning.

Containing 912.72 square feet or 0.021 acres, more or less.

As delineated on Plat 284-A-15A, prepared by the Survey Section and filed on December 7, 2018, 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 variable width alley, located between 2 10-foot alleys bounded by Boone Street, East 22nd Street, Greenmount Avenue, and East 23rd 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 on the date it is enacted.