



Legislation Text

File #: 22-0215, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
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 - Two 10 Foot Alleys

For the purpose of condemning and closing of two 10 Foot Alleys bounded by East 23rd Street, Greenmount Avenue and East 22nd Street, as shown on a plat numbered 303-A-19A, dated September 14, 2021, prepared by the Survey Section, and filed 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 two 10 foot alleys bounded by East 23rd Street, Greenmount Avenue, and East 22nd Street and more particularly described as follows:

**Description of Two 10 Foot Alleys Bounded by East 23RD Street,
Greenmount Avenue, and East 22nd Street**

Beginning for Parcel 1 at the point formed by the intersection of the south side of East 23rd Street 66 feet wide and the east side of a 10 foot alley, said point of beginning being distant Westerly 294.50 feet more or less, measured along the south side of said East 23rd Street from the west side of Greenmount Avenue 66 feet wide; thence leaving the south side of said East 23rd Street and binding on the east side of said 10 foot alley, Southerly 146 feet more or less, to intersect the north side of East 22nd Street 66 feet wide; thence binding on the north side of said East 22nd Street, Westerly 10 feet to the west side of said 10 foot alley; thence

binding on the west side of said 10 foot alley, Northerly 146 feet more or less, to intersect the south side of said East 23rd Street and thence binding on the south side of said East 23rd Street, Easterly 10 feet more or less, to the place of beginning.

Containing 1460.0 square feet or 0.0335 acres more or less

Beginning for Parcel 2 at the point formed by the intersection of the west side of a 10 foot alley and the south side of another 10 foot alley, said point of beginning being distant Northerly 46 feet more or less, measured along the west side of said 10 foot alley from the north side of East 22nd Street 66 feet wide; thence binding on the south side of said 10 foot alley Westerly 187 feet more or less, to intersect the east side of another 10 foot alley; thence binding on the east side of said 10 foot alley Northerly 10 feet to the north side of said alley; thence binding on the north side of said 10 foot alley, Easterly 187 feet more or less, to the west side of said 10 foot alley so projected and thence binding on the west side of said 10 foot alley so projected Southerly 10 feet, to the place of beginning.

Containing 1870.0 square feet or 0.0429 acres more or less

As delineated on a plat numbered 303-A-19A prepared by the Survey Section and filed on September 15, 2021, in the Office of the Department of Transportation.

Section 2. And be it further ordained, That the proceedings for the condemnation and closing of two 10 foot alleys bounded by East 23rd Street, Greenmount Avenue and East 22nd 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 Department 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 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, have been removed and relaid in accordance with the specifications and under the direction of the Director of Department of Transportation of Baltimore City and at the expense of the person seeking to erect the building or structure.

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.

