



Legislation Text

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: The Council President
At the request of: The Administration (Department of Public Works)
A BILL ENTITLED

AN ORDINANCE concerning
City Streets - Closing - A 15-Foot Alley

FOR the purpose of condemning and closing a 15-foot alley laid out in the rear of the properties known as Nos. 2501/2507 through 2511/2517 Eutaw Place, extending from Chauncey Avenue, Northwesterly 108.0 feet, more or less, to the southeast side of a 15-foot alley laid out in the rear of the properties known as Nos. 914 through 934 Chauncey Avenue, as shown on Plat 316-C-1 in the Office of the Department of Public Works; 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 Public Works shall proceed to condemn and close a 15-foot alley laid out in the rear of the properties known as Nos. 2501/2507 through 2511/2517 Eutaw Place, extending from Chauncey Avenue, Northwesterly 108.0 feet, more or less, to the southeast side of a 15-foot alley laid out in the rear of the properties known as Nos. 914 through 934 Chauncey Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the northwest side of Chauncey Avenue, 60 feet wide, and the southwest side of a 15-foot alley laid out in the rear of the properties known as Nos. 2501/2507 through 2511/2517 Eutaw Place, said point of beginning being distant northeasterly 140.0 feet, more or less, measured along the northwest side of said Chauncey Avenue, from the northeast side of Eutaw Place, 70 feet wide, and running thence binding on the southwest side of said 15-foot alley, Northwesterly 108.0 feet more or less, to intersect the line of the south side of a 15-foot alley, laid out in the rear of the properties known as Nos. 914 through 934 Chauncey Avenue, if projected southwesterly; thence binding reversely on said line, so drawn, Northeasterly 15.0

feet to intersect the northeast side of said 15-foot alley, mentioned firstly herein; thence binding on the northeast side of said 15-foot alley, mentioned firstly herein, Southeasterly 108.0 feet, more or less, to intersect the northwest side of said Chauncey Avenue, and thence binding on the northwest side of said Chauncey Avenue, Southwesterly 15.0 feet to the place of beginning.

As delineated on Plat 316-C-1, prepared by the Survey Control Section and filed on January 14, 2009, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the 15-foot alley 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 Public Works 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 Public Works 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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