



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 07-0734, 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 Public Works)
A BILL ENTITLED

AN ORDINANCE concerning **City Streets - Closing - A 10-Foot Alley**

FOR the purpose of condemning and closing a 10-foot alley laid out in the rear of the properties known as 5926 and 5928 York Road, extending from the south side of Howil Terrace southerly to Hutchins Avenue, as shown on Plat 114-A-24 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 10-foot alley laid out in the rear of the properties known as 5926 and 5928 York Road, extending from the south side of Howil Terrace southerly to Hutchins Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Howil Terrace, 15 feet wide, and the east side of a 10-foot alley, laid out in the rear of the properties known as Nos. 5926 and 5928 York Road, said point of beginning being distant Westerly 141.3 feet, more or less, measured along the south side of said Howil Terrace from the west side of York Road, 80 feet wide, and running thence binding on the east side of said 10-foot alley, Southerly 77.5 feet, more or less, to intersect the north side of Hutchins Avenue, 25 feet wide; thence binding on the north side of said Hutchins Avenue, Westerly 10.1 feet, more or less, to intersect the west side of said 10-foot alley; thence binding on the west side of said 10-foot alley, Northerly 77.5 feet, more or less, to intersect the south side of said Howil Terrace, and thence binding on the south side of said Howil Terrace, Easterly 10.1 feet, more or less, to the place of beginning.

As delineated on Plat 114-A-24, prepared by the Survey Control Section and filed on June 6, 2007, 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 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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