

Morris A. Baker, Esq., Assistant City Solicitor (cont'd)

I am of the opinion that this alley as dedicated conforms sufficiently to the plan of streets as adopted by the Topographical Survey Commission, as shown on its plat of 1898, to amount to a statutory acceptance under Ordinance No. 753 of 1922. In addition to this statutory acceptance I feel that the City has impliedly accepted this dedication through its acts of control over said alley. This alley, I am informed, is lighted by the City; there is a sanitary sewer in the bed of the alley; the City utilizes the alley for the collection of garbage, trash and ashes; there is a storm water drain in a part of the bed of said alley, and, generally speaking, the City exercises such control and jurisdiction of this alley as it does in cases of other public alleys. In view of the fact that this alley has been opened and used by the public for such a long period of time, I feel that the City would be on extremely thin ground if it now attempted to deny that the alley was a public thoroughfare of the City of Baltimore.

Very truly yours,

(signed) WILBUR J. PRESTON

Assistant City Solicitor

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