

# County Council Of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 10

## Resolution No. 106 -2021

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of land containing a total of 0.288 acres owned by Howard County, Maryland located on Maryland Route 103 at Fire Station No. 2 is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to and permanent easement interests in the property to the State of Maryland; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to convey the Property if he finds that the County may have a use for the property.

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Introduced and read first time \_\_\_\_\_, 2021.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

Read for a second time at a public hearing on \_\_\_\_\_, 2021.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted\_\_\_, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn\_\_\_, by the County Council on \_\_\_\_\_, 2021.

Certified By \_\_\_\_\_  
Michelle Harrod, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1           **WHEREAS**, the County is the owner of approximately 3.086 acres of land known as  
2 Parcel No. 694 Lot A-2 on Tax Map 24 and described in the deed dated September 11, 1996, and  
3 recorded in the Land Records of Howard County, Maryland at Liber 3816, Folio, 496; and  
4

5           **WHEREAS**, the State of Maryland, Department of Transportation, State Highway  
6 Administration has asked for a total of 0.288 acres of land as part of the widening of Maryland  
7 Route 103 as follows:

- 8           1. A portion of the 3.086 acres containing approximately 0.153 acres of land in fee simple;  
9           and
- 10           2. A perpetual easement in a portion of the 3.086 acres of land containing approximately  
11           0.136 acres of land; and  
12

13           **WHEREAS**, the land being conveyed to the State either in fee simple or by the grant of  
14 perpetual easement interests is located within Fire Station No. 2 - Ellicott City at 4150  
15 Montgomery Road, Ellicott City, Maryland 21043 and shown on State of Maryland Department  
16 of Transportation State Highway Administration State Roads Commission Plat No. 61252  
17 attached hereto as Exhibit A, collectively the “County Property”; and  
18

19           **WHEREAS**, in addition to the conveyance of fee simple title and easement interests in  
20 the County Property, the County will grant a temporary construction easement in approximately  
21 0.217 acres as shown on Exhibit A; and  
22

23           **WHEREAS**, in exchange for the conveyance of fee simple title and easement interests,  
24 the State will pay the appraised value of the County Property of \$394,950; and  
25

26           **WHEREAS**, the Department of Public Works has reviewed and approved the proposed  
27 conveyance of fee simple title and easement interests in the County Property, as described as  
28 “Fee Simple Area” and “Perpetual Easement Areas”, respectively, as shown in the attached  
29 Exhibit A; and  
30

1           **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code  
2 authorizes the County Council to declare that property is no longer needed for public purposes  
3 and also authorizes the County Council to waive advertising and bidding requirements for an  
4 individual conveyance of real property upon the request of the County Executive; and  
5

6           **WHEREAS**, the County Council has received a request from the County Executive to  
7 waive the advertising and bidding requirements in this instance for the conveyance of the County  
8 Property to the State of Maryland, Department of Transportation, State Highway Administration.  
9

10           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
11 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2021, that the County Property as shown in the  
12 attached Exhibit A as the “Fee Simple Area” containing approximately 0.153 acres of land and  
13 “Perpetual Easement Areas” containing approximately 0.136 acres of land in total is no longer  
14 needed by the County for public purposes.  
15

16           **AND BE IT FURTHER RESOLVED**, that County Executive may convey fee simple  
17 title to and perpetual easements in the County Property to the State of Maryland, Department of  
18 Transportation, State Highway Administration upon payment of the appraised value of the  
19 County Property.  
20

21           **AND BE IT FURTHER RESOLVED** that, having received a request from the County  
22 Executive and having held a public hearing, the County Council declares that the best interest of  
23 the County will be served by authorizing the County Executive to waive the usual advertising  
24 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of  
25 the County Property to be conveyed in fee simple or by the grant of perpetual easement interests  
26 to the State of Maryland, Department of Transportation, State Highway Administration.  
27

28           **AND BE IT FURTHER RESOLVED** that if the County Executive finds that all or a  
29 portion of the County Property may have a further County public use then he is not bound to  
30 convey the fee simple or perpetual easement property interests in accordance with this  
31 Resolution.

