

# County Council Of Howard County, Maryland

2021 Legislative Session

Legislative Day No. **10**

## Resolution No. 107 -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 owned by Howard County, Maryland and located at Centennial Park, along Centennial Lane and Maryland Route 108, is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to 0.8344 acres and permanent easement interests in 0.1514 acres 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This Resolution was read the third time and was Adopted \_\_, Adopted with amendments \_\_, Failed \_\_, Withdrawn \_\_, by the County Council on \_\_\_\_\_, 2021.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 63.625 acres of land known as  
2 10000 Clarksville Pike (“Maryland Route 108”), Ellicott City Maryland as described in the deed  
3 dated August 18, 1976 and recorded in the Land Records of Howard County, Maryland at Liber  
4 781, Folio, 592 located at Centennial Lane/Beaverbrook Road and shown on State of Maryland  
5 Department of Transportation State Highway Administration State Roads Commission Plat Nos.  
6 61286 through 61288, attached hereto as Exhibit A (the “County Property”); and

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8           **WHEREAS**, the State of Maryland, Department of Transportation, State Highway  
9 Administration (the “State”) is in the process of acquiring land as part of the widening of Maryland  
10 Route 108 and has requested as follows (collectively, the “Property to be Conveyed”):

- 11       1. A portion of the County Property containing approximately 0.834 acres of land in fee  
12       simple, described in the legend on Plat No. 61287 and shown as “Fee Simple Area” in the  
13       attached Exhibit A; and
- 14       2. A perpetual easement in a portion of the County Property containing approximately 0.072  
15       acres of land described in the legend on Plat 61287 and 0.080 acres of land described in  
16       the legend on Plat No. 61288, totaling 0.152 acres of land in total described and shown as  
17       “Perpetual Easement Area” in the attached Exhibit A; and

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19           **WHEREAS**, the State also seeks a temporary construction easement in 0.3734 acres of the  
20 County Property, as described and shown on Plat No. 61287 in the attached Exhibit A; and

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22           **WHEREAS**, the County Property was originally acquired with State Program Open Space  
23 funding and the Property to be Conveyed will need to be replaced on a one to one ratio with land  
24 of a greater value; and

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26           **WHEREAS**, the State will pay the County the appraised value of \$116,423.25 for the  
27 Property to be Conveyed, and mitigate the loss of County Property funded by Program Open Space  
28 by conveying an acre of land located at 9970 Maryland Route 108 to the County; and

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30           **WHEREAS**, the Department of Public Works has reviewed and approved the proposed  
31 conveyance of the Property to be Conveyed; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County, Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2021, that the Property to be Conveyed as shown in the attached Exhibit A as the “Fee Simple Area” containing approximately 0.8344 acres of land in total and “Perpetual Easement Area” containing approximately 0.1514 acres of land in total is no longer needed by the County for public purposes.

**AND BE IT FURTHER RESOLVED**, that the County Executive may convey fee simple title to and perpetual easements in the Property to be Conveyed to the State of Maryland, Department of Transportation, State Highway Administration, upon payment for the Property to be Conveyed and the conveyance by the State of an acre of land located at 9970 Maryland Route 108.

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

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





