

County Council of Howard County, Maryland

2013 Legislative Session

Legislative day # 5

RESOLUTION NO. 29 - 2013

Introduced by: The Chairperson at the request of
the Department of Public Works

A RESOLUTION to close a portion of Linden Church road, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code.

Introduced and read first time on March 28, 2013.

By order Stephen LeGendre
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on April 15, 2013.

By order Stephen LeGendre
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn by the County Council on May 6, 2013.

Certified by Stephen LeGendre
Stephen LeGendre, Administrator to the County Council

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

1 **WHEREAS**, In accordance with Section 18.204 of the Howard County Code, the
2 Department of Public Works (“Department”) has requested that the Howard County Council
3 close a portion of Linden Church Road; and

4 **WHEREAS**, Section 18.204 of the Howard County Code provides for the closure of an
5 existing county road by adoption of a County Council resolution; and

6 **WHEREAS**, The portion of Linden Church Road to be closed is described in Exhibit A
7 and shown on the attached certified plat identified as Exhibit B; and

8 **WHEREAS**, The County is the fee simple owner of Linden Church Road by deed xxx
9 dated November 5, 1993, and recorded in the Land Records of Howard County, Maryland in
10 Liber 3078, Folio 403; and

11 **WHEREAS**, the Department indicates that the portion of Linden Church Road must be
12 closed to allow the State Highway Administration to relocate the road as part of a project to
13 construct an interchange with Route 32; and

14 **WHEREAS**, There are no connecting streets along the portion of Linden Church Road
15 that is proposed to be closed; and

16 **WHEREAS**, The Departments of Public Works, Planning and Zoning, Police, and Fire
17 and Rescue have each reviewed the proposal to close a portion of Linden Church Road and each
18 has determined that the closure of that portion will not affect public safety, the traffic network, or
19 public convenience; and

20 **WHEREAS**, Notice of the proposed closing and abandoning of a portion of Linden
21 Church Road has been posted and advertised in accordance with Section 18.204; and

22 **WHEREAS**, The Department, working with the State Highway Administration, shall
23 cause the closure of a portion of Linden Church Road, as shown and described in Exhibits A and

1 B, in accordance with all applicable Howard County standards and specifications.

2 **NOW, THEREFORE, BE IT RESOLVED** By the County Council of Howard County,
3 Maryland this 16th day of May, 2013 that, in accordance with Section 18.204 of
4 the Howard County Code, the closure of a portion of Linden Church Road will not adversely
5 affect public safety, the traffic network, or public convenience and the portion of Linden Church
6 Road as shown and described in Exhibits A and B, shall be closed; and

7 **BE IT FURHTER RESOLVED**, That the Department shall bear all of the costs and
8 expenses, beyond those borne by the State Highway Administration, associated with closure of
9 this portion of Linden Church Road.

Howard County
Department of Public Works
Bureau of Engineering
Survey Division

LAD file No.: 3239
Plat No.: SHA Plat 53337
S/J No.: 2013-020

DESCRIPTION
OF THAT PORTION OF
LINDEN CHURCH ROAD
TO BE
ABANDONED

BEING a portion of Linden Church Road that is within that parcel of ground conveyed to Howard County by the State of Maryland in a deed dated December 7, 1973 and recorded among the land records of Howard County in Liber 3078 folio 403 and shown on a plat titled State of Maryland, Department of Transportation, State Highway Administration, State Roads Commission, Plat Number 53337.

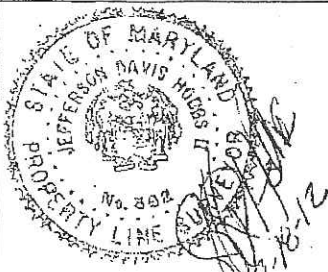
BEGINNING at a point 15.92 feet South of the Baseline station 0+41.18 feet for the "Former Existing Linden Church Rd" as shown on the above mentioned plat, thence running with and binding on said plat with a curve to the left having a radius of 25.00 and a length of 39.54 feet subtended by a chord having a bearing of

- 1.) South 55 degrees 15 minutes 49 seconds West having a chord length of 35.54 feet to a point, thence with a curve to the left having a radius 756.65 feet and a length of 75.08 feet subtended by a chord having a bearing of
- 2.) North 6 degrees 42 minutes 05 seconds West having a chord length of 75.07 feet to a point, thence with a curve to the left having a radius of 25 feet and a length of 30.96 feet subtended by a chord having a bearing of
- 3.) South 44 degrees 28 minutes 09 seconds East having a chord of 29.02 feet to a point, thence
- 4.) South 79 degrees 56 minutes 49 seconds East 23.29 feet to a point, thence
- 5.) South 79 degrees 56 minutes 49 seconds East 258.82 feet to a point, thence
- 6.) South 10 degrees 15 minutes 24 seconds West 30.00 feet to a point, thence
- 7.) North 79 degrees 56 minutes 49 seconds West 258.77 feet to the place of beginning.

Containing 9130.0 square feet or 0.21 acres of land more or less. Subject to the restrictions, covenants, conditions, and easements of record. This description is based on the above mentioned plat and in written form illustrates the area of road bed to be abandoned no boundary survey has been performed by this office.

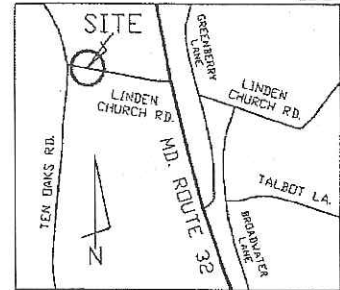
Jefferson Davis Hobbs II

Professional Certification. I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed Property Line Surveyor under the laws of the State of Maryland, License No. 362, Expiration Date October 20, 2014.



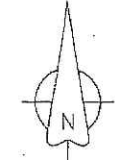
JEFFERSON D. HOBBS
PROPERTY LINE SURVEYOR
MD. REG. No. 362

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROPERTY LINE SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 362, EXPIRATION DATE 10-22-2012.

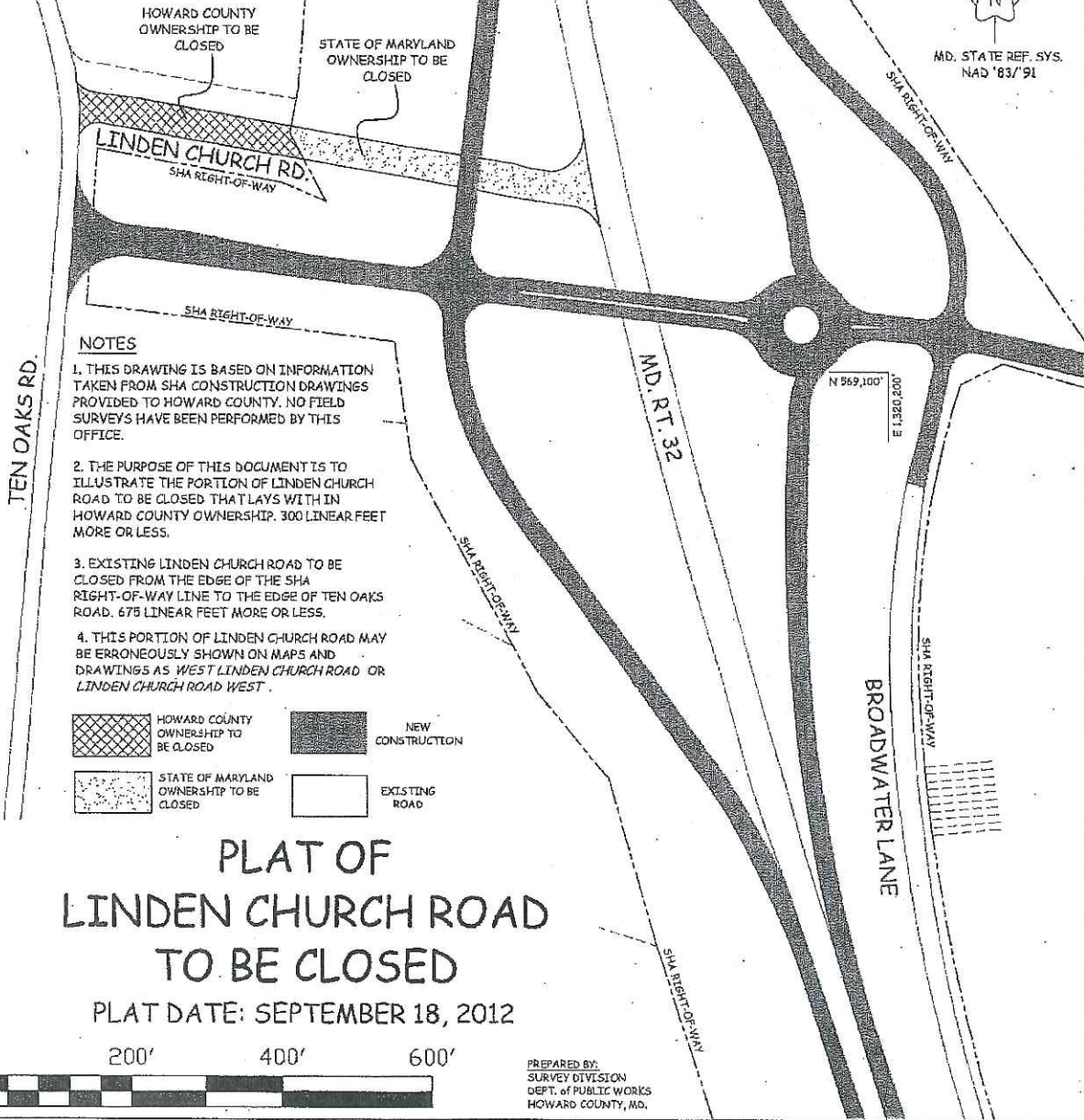


VICINITY MAP - NO SCALE

N 569,700'
E 1,320,200'



MD. STATE REF. SYS.
NAD '83/ '91



NOTES

1. THIS DRAWING IS BASED ON INFORMATION TAKEN FROM SHA CONSTRUCTION DRAWINGS PROVIDED TO HOWARD COUNTY. NO FIELD SURVEYS HAVE BEEN PERFORMED BY THIS OFFICE.
2. THE PURPOSE OF THIS DOCUMENT IS TO ILLUSTRATE THE PORTION OF LINDEN CHURCH ROAD TO BE CLOSED THAT LAYS WITHIN HOWARD COUNTY OWNERSHIP. 300 LINEAR FEET MORE OR LESS.
3. EXISTING LINDEN CHURCH ROAD TO BE CLOSED FROM THE EDGE OF THE SHA RIGHT-OF-WAY LINE TO THE EDGE OF TEN OAKS ROAD. 675 LINEAR FEET MORE OR LESS.
4. THIS PORTION OF LINDEN CHURCH ROAD MAY BE ERRONEOUSLY SHOWN ON MAPS AND DRAWINGS AS WEST LINDEN CHURCH ROAD OR LINDEN CHURCH ROAD WEST.

	HOWARD COUNTY OWNERSHIP TO BE CLOSED		NEW CONSTRUCTION
	STATE OF MARYLAND OWNERSHIP TO BE CLOSED		EXISTING ROAD

**PLAT OF
LINDEN CHURCH ROAD
TO BE CLOSED**

PLAT DATE: SEPTEMBER 18, 2012



PREPARED BY:
SURVEY DIVISION
DEPT. OF PUBLIC WORKS
HOWARD COUNTY, MD.

Amendment 1 to Council Resolution No. 29-2013

BY: Chairperson

Legislative Day No. 6

Date: May 6, 2013

Amendment No. 1

(This amendment inserts a deed reference.)

- 1 On page 1, in line 8, strike “xxx” and substitute “dated November 5, 1993, and recorded in the
- 2 Land Records of Howard County, Maryland in Liber 3078, Folio 403”.

ADOPTED May 6, 2013

FAILED _____

SIGNATURE Shirley McAllister

County Council of Howard County, Maryland

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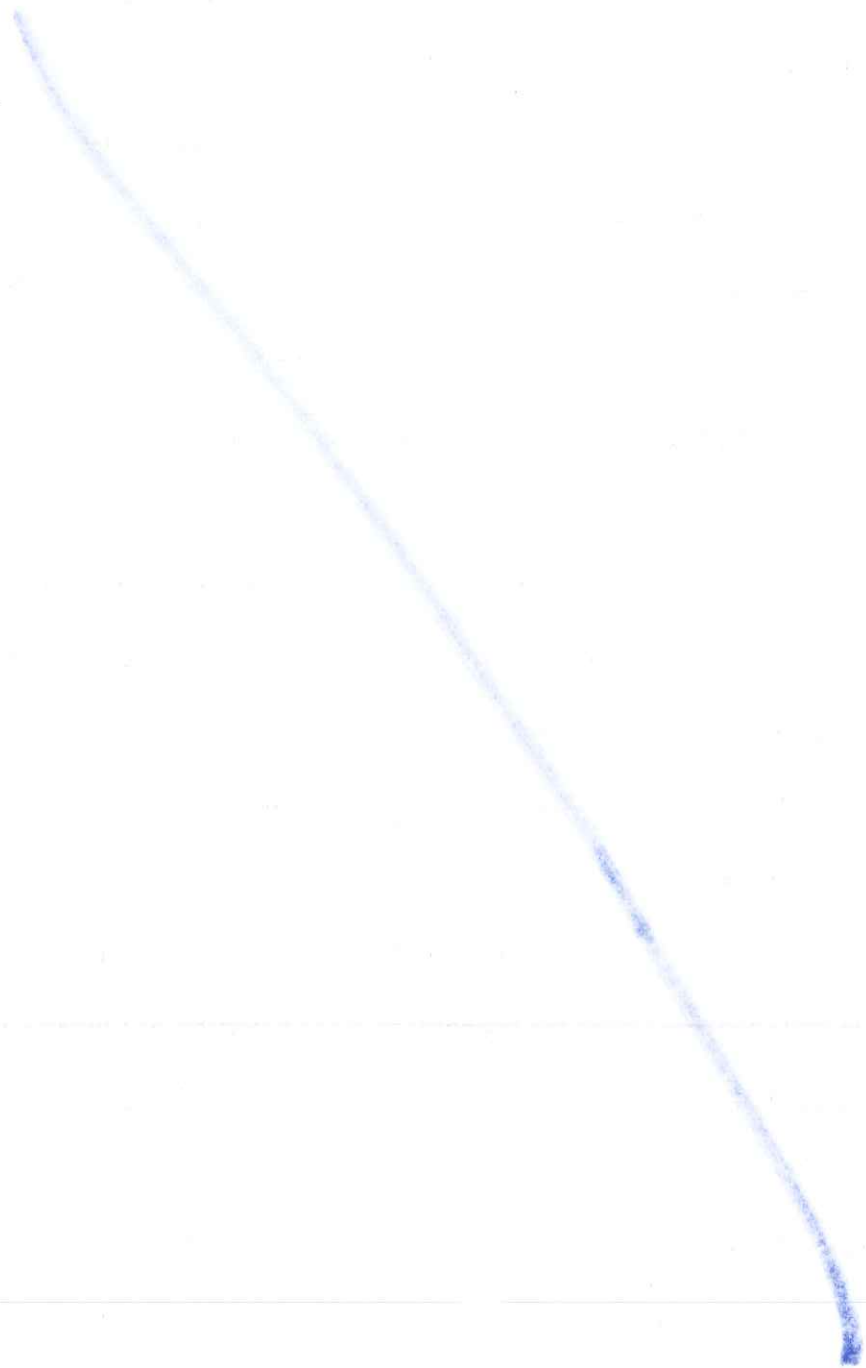
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