

County Council of Howard County, Maryland

2013 Legislative Session

Legislative day # 5

RESOLUTION NO. 28 - 2013

Introduced by: The Chairperson at the request of
Several Emerson Development LLCs

A RESOLUTION to close a portion of Sterling Drive, 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 25, 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This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn by the County Council on May 6, 2013.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, Emerson
2 Development II, LLC, Emerson Development III, LLC, Emerson Development IV, LLC,
3 Emerson Development V, LLC, Emerson Development VI, LLC, and Emerson Development
4 VII, LLC, (“petitioner”) has petitioned the Howard County Council to close a portion of Sterling
5 Drive; and

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

8 **WHEREAS**, The portion of Sterling Drive to be closed is described in Exhibit A and
9 shown on the attached certified plat identified as Exhibit B; and

10 **WHEREAS**, The County is the fee simple owner of Sterling Drive by deed dated
11 December 27, 2005, and recorded in the Land Records of Howard County, Maryland in Liber
12 9749, Folio 684 and deed dated May 19, 2007, and recorded in the Land Records of Howard
13 County, Maryland, in Liber 11235, Folio 84; and

14 **WHEREAS**, The passage of Council Resolution 112-2011 resulted in the closure of a
15 portion of Sterling Drive; and

16 **WHEREAS**, Petitioner has acquired the rest of the properties along the portion of
17 Sterling Drive that remained open; and

18 **WHEREAS**, This portion of Sterling Drive must be closed to accommodate the security
19 requirements for additional development on the adjacent property owned by petitioner; and

20 **WHEREAS**, There are no connecting streets along the portion of Sterling Drive that is
21 proposed to be closed; and

22 **WHEREAS**, The Departments of Public Works, Planning and Zoning, Police, and Fire
23 and Rescue have each reviewed the proposal to close a portion of Sterling Drive and each has

1 determined that the closure of that portion will not affect public safety, the traffic network, or
2 public convenience; and

3 **WHEREAS**, The petitioner has paid a fee in accordance with Section 18.204 to cover the
4 costs of advertising the proposed closing, notifying adjoining property owners, and posting the
5 road; and

6 **WHEREAS**, Notice of the proposed closing and abandoning of a portion of Sterling
7 Drive has been posted and advertised in accordance with Section 18.204; and

8 **WHEREAS**, The petitioner, at its cost and expense, shall cause the closure of a portion
9 of Sterling Drive, as shown and described in Exhibits A and B, in accordance with all applicable
10 Howard County standards and specifications.

11 **NOW, THEREFORE, BE IT RESOLVED** By the County Council of Howard County,
12 Maryland this 6th day of May, 2013 that, in accordance with Section 18.204 of
13 the Howard County Code, the closure of a portion of Sterling Drive will not adversely affect
14 public safety, the traffic network, or public convenience and the portion of Sterling Drive as
15 shown and described in Exhibits A and B, shall be closed; and

16 **BE IT FURHTER RESOLVED**, That the petitioner shall bear all of the costs and
17 expenses associated with closure of this portion of Sterling Drive.

EXHIBIT A

DMW

DAFT MCCUNE WALKER INC

Description

1.383 Acre Parcel

A Portion of Sterling Drive

To Be Closed

6th Election District

Howard County, Maryland

Beginning for the same at a point being known and designated as Point No. RW19 as laid out and shown on a plat entitled, "Revitz Property Parcels A through H and Open Space Parcels I through R" dated January 27, 2003 and recorded among the Land Records of Howard County as Plat No. 15786, thence leaving said point of beginning and running with and binding on a portion of the western right-of-way line of Sterling Drive, as shown on the abovementioned plat, and referring all courses of this description to the Maryland Coordinate System (NAD 83/1991): (1) Northwesterly with a curve curving to the left, having a radius of 109.00 feet, for a distance of 26.35 feet (the arc of said curve being subtended by a chord bearing North 67 degrees 23 minutes 37 seconds West 26.29 feet); thence (2) North 74 degrees 19 minutes 13 seconds West 152.78 feet, thence (3) North 60 degrees 59 minutes 35 seconds West 52.06 feet; thence (4) North 74 degrees 19 minutes 13 seconds West 90.40 feet; thence (5) Northwesterly by a line curving to the right, having a radius of 630.00 feet, for a distance of 568.95 feet (the arc of said curve being subtended by a chord bearing North 48 degrees 26 minutes 55 seconds West 549.81 feet); thence crossing said Sterling Drive (6) North 67 degrees 18 minutes 52 seconds East 60.03 feet to the eastern right-of-way of said Sterling Drive; thence running with and binding on a portion

EXHIBIT A

of said eastern right-of-way line of Sterling Drive (7) Southeasterly by a line curving to the left, having a radius of 549.47 feet, for a distance of 513.41 feet (the arc of said curve being subtended by a chord bearing South 49 degrees 27 minutes 12 seconds East 494.94 feet); thence (8) South 76 degrees 13 minutes 15 seconds East 89.03 feet; thence (9) South 74 degrees 19 minutes 13 seconds East 218.99 feet; thence (10) Southeasterly by a line curving to the right, having a radius of 642.00 feet, for a distance of 26.21 feet (the arc of said curve being subtended by a chord bearing South 73 degrees 09 minutes 02 seconds East 26.21 feet; thence crossing said Sterling Drive (11) South 25 degrees 55 minutes 44 seconds West 88.04 feet to the point of beginning; containing 60,264 square feet or 1.383 acres of land, more or less, as now described by Daft-McCune-Walker, Inc.

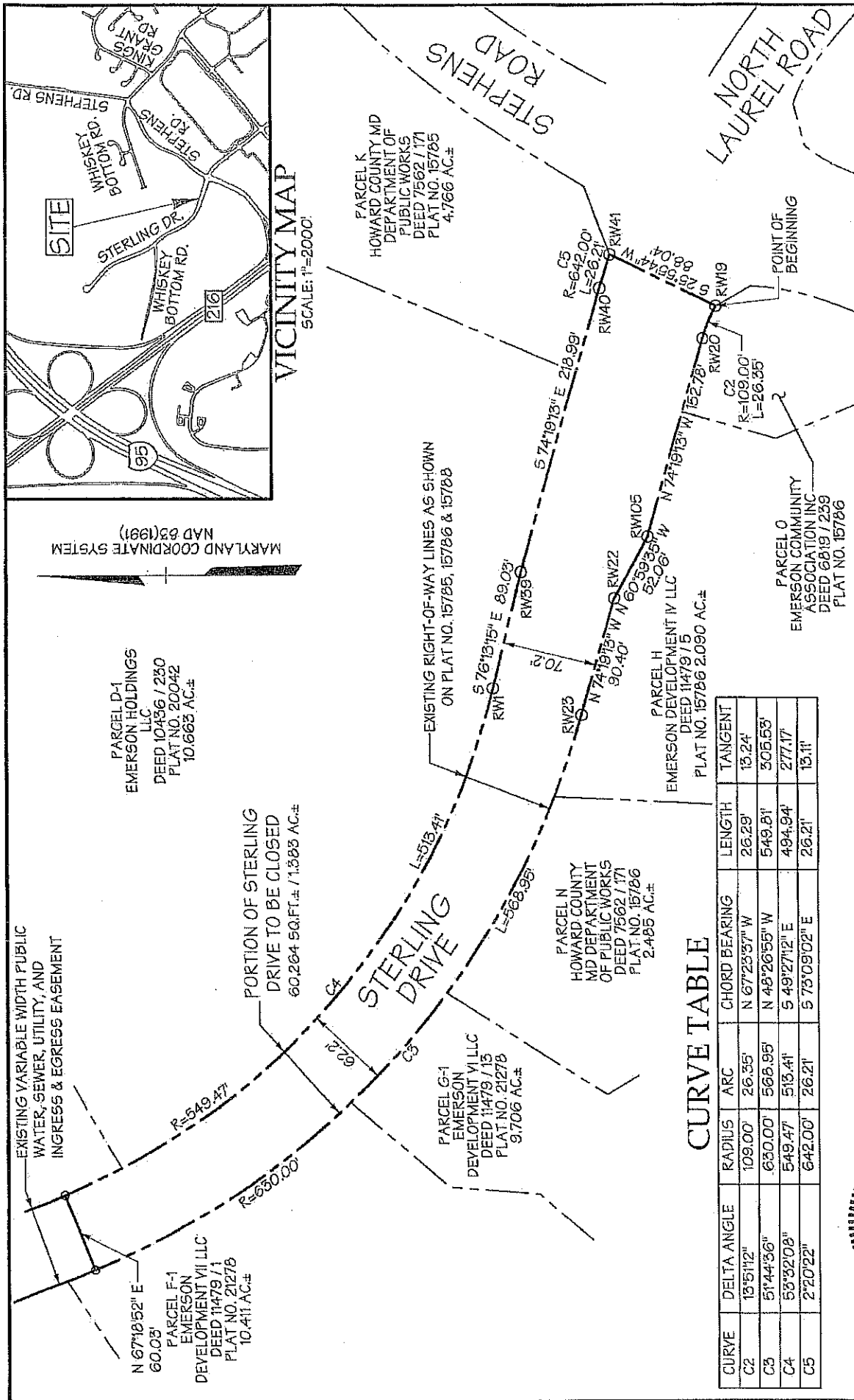
February 13, 2013

Project No. 95054.7A (L95054.7S)



Michael Martin
2/13/13

EXHIBIT B



PARCEL D-1
EMERSON HOLDINGS
LLC
DEED 10456 / 250
PLAT NO. 20042
10.663 AC.±

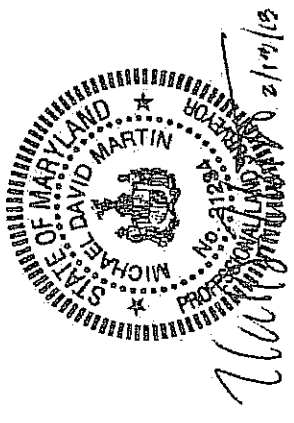
PORTION OF STERLING
DRIVE TO BE CLOSED
60.264 50.FT.± / 1.583 AC.±

EXISTING RIGHT-OF-WAY LINES AS SHOWN
ON PLAT NO. 15785, 15786 & 15788

PARCEL N
HOWARD COUNTY
MD DEPARTMENT
OF PUBLIC WORKS
DEED 7562 / 171
PLAT NO. 15786
2.485 AC.±

CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC	CHORD BEARING	LENGTH	TANGENT
C2	13°51'12"	109.00'	26.35'	N 67°23'57" W	26.29'	13.24'
C3	51°44'36"	630.00'	568.95'	N 49°26'55" W	549.81'	305.53'
C4	53°32'08"	549.47'	513.41'	S 49°27'12" E	494.94'	277.17'
C5	2°20'22"	642.00'	26.21'	S 73°09'02" E	26.21'	13.11'



**EXHIBIT PLAT
SHOWING CLOSING OF A PORTION OF
STERLING DRIVE**

DMW

DAFT MCCUNE WALKER INC
200 EAST PENNSYLVANIA TOWSON, MD 21286
P: 410 288 3333 F: 410 288 3763 WWW.DMW.COM
A TEAM OF LAND PLANNERS, LANDSCAPE ARCHITECTS,
ENGINEERS, SURVEYORS & ENVIRONMENTAL PROFESSIONALS

Field Crew: Scale: 1"=100' Date: 02-12-2013
Drawn by: R.C. Checked by: M.D.M. Job No.: 95054-75

6TH ELECTION DISTRICT

HOWARD COUNTY, MARYLAND