

LAW OFFICES OF
TALKIN & OH, LLP
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5100 DORSEY HALL DRIVE
ELLCOTT CITY, MARYLAND 21042-7870

(410) 964-0300
(301) 596-6500
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January 30, 2017

The Honorable Jon Weinstein, Chair
Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

RE: Request for Road Closure

Dear Mr. Weinstein:

Pursuant to Section 18.204 of the Howard County Code, please accept this letter on behalf of Meadowlark, LLC (the "Petitioner") as a request to close a portion of Forest Avenue as referenced and specified hereinafter.

To assist your review of this request, the following documents are attached:

- (1) A detailed description of that portion of Forest Avenue being requested to be closed (**EXHIBIT A**); and
- (2) A certified plat signed and sealed by a professional land surveyor which describes that area of Forest Avenue being requested to be closed (**EXHIBIT B**).

Forest Avenue is a not-yet-constructed road, which was proposed as part of the approval of Final Plan F-06-133 (the "Subdivision"). The lots that this road was intended to service will no longer be developed as originally planned. The Petitioner has determined that the Subdivision is not feasible and has, therefore, taken steps to have Howard County rescind and reverse the approval of the Subdivision.

The right-of-way containing Forest Avenue ("Right-Of-Way") is owned by Howard County. The Right-Of-Way was dedicated by the Petitioner to Howard

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MS

2017 FEB -6 PM 2:00

HOWARD COUNTY COUNCIL
RECEIVED

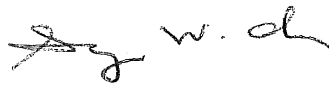
Jonathan Weinstein
January 27, 2017
Page 2 of 3

County under Council Resolution 143-2006. The return of the Right-Of-Way to Petitioner is a necessary part of vacating the approval of the Subdivision. There are no recorded easements on the Right-Of-Way. The closing of this section of Forest Avenue will not require any changes to traffic control devices.

Please find enclosed a check in the amount of \$1,500.00 as the required fee for the instant request. Thank you for your time and consideration.

Very truly yours,

Talkin & Oh, LLP



By: Sang W. Oh


cc: Jessica Feldmark, Administrator, Howard County Council
B. Diane Wilson, Chief of Staff, Office of the County Executive
Jim Irvin, Director, Department of Public Works
Tom Butler, Deputy Director, Department of Public Works
Karen Stires, Acting Chief, Department of Public Works, Real Estate Services
Valdis Lazdins, Director, Department of Planning and Zoning
Gary L. Gardner, Chief, Police Department
John S. Butler, Chief, Department of Fire and Rescue Services

**Abandoned Part of
Forest Avenue
Plat of Harwood
Plat book 60, Page 115**

Beginning for the same at the beginning of the South 36°45'01" East, 504.08 foot plat line, said point being labeled number five (5) on a plat entitled "Timber Ridge, Plat of Harwood Park, Lots 683-688 & 707-720 & Open Space Lots 704-A & 706-A" and recorded as plat number 19640 in the Land Records of Howard County, Maryland said point also being on the western right of way of Forest Avenue, thence running with Forest Avenue the following three (3) course and distance said courses being in the Maryland Coordinate System NAD83/91;

1. **North 27°45'01" East, 4.13 feet** to a point, thence
2. **North 20°01'30" East, 43.36 feet** to a point on the eastern right of way of Forest Avenue and being the corner of Lot 702 as show on plat entitled "Plat of Harwood" and recorded among the said Land Records in plat book 60, page 115, thence running with Lots 702 thru 684 and part of 683 as shown on abovementioned plat and passing over an iron pipe found at a distance of 379.61 feet
3. **South 36°45'01" East, 519.61 feet** to a point, thence crossing said Forest Avenue as shown on said Plat of Harwood to the western right of way of Forest Avenue
4. **South 53°14'58" West, 40.00 feet** to a point being 10.00 feet from an iron pipe found at the corner of Lots 720 and 721, thence with said western right of way of Forest Avenue and with Lots 706-A thru 719 and part of Lot 720 the following course and distance
5. **North 36°45'01" West, 494.08 feet** to the Point of Beginning, containing 20,262 square feet or 0.46515 acres of land, more or less.

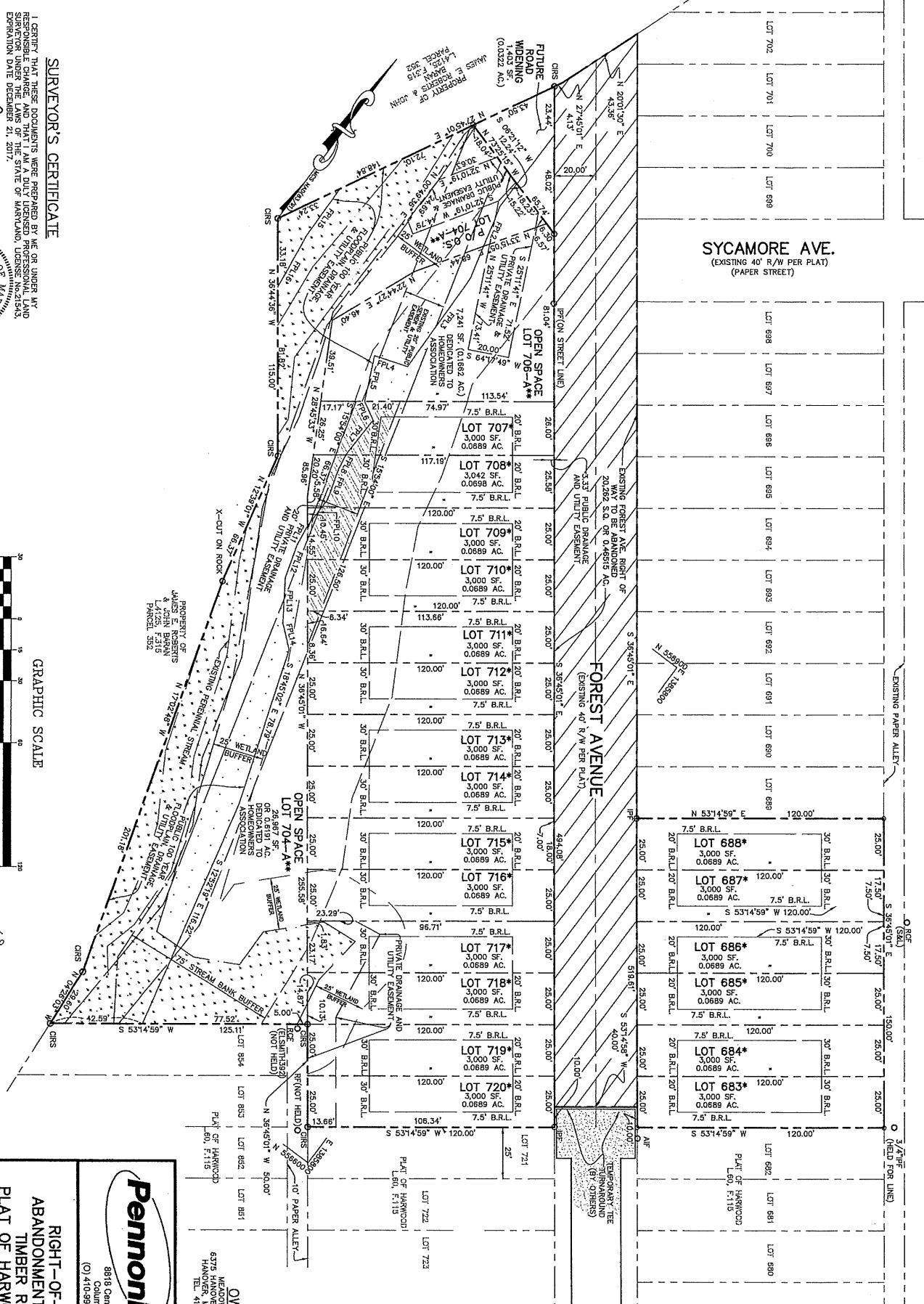
I hereby certify that this Survey was prepared by me or under my responsible charge, and that I am a duly licensed Professional Land Surveyor under the laws of the State of Maryland, License No. 21543, expiration date December 21, 2017.


D. Darrin Kirk
Professional Land Surveyor
Maryland Registration No. 21543



SYCAMORE AVE.
(EXISTING 40' R/W PER PLAT)
(PAPER STREET)

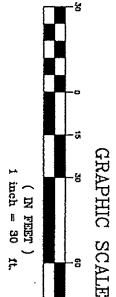
FOREST AVENUE
(EXISTING 40' R/W PER PLAT)



SURVEYOR'S CERTIFICATE

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND. EXPIRATION DATE: DECEMBER 21, 2017.

D. JAGGIN KIRK
PROFESSIONAL LAND SURVEYOR
MD REGISTRATION NO. 21543



Pennoni
8810 Centre Park Drive, Suite 200
Columbia, Maryland 21045
(410) 997-5800 (F) 410-997-9282

OWNER
HARWOOD PARK, LLC
6375 HANOVER ROAD, SUITE 200
HANOVER, MD 21076-2000
TEL: 410/786/6505

**RIGHT-OF-WAY
ABANDONMENT EXHIBIT**
TIMBER RIDGE
PLAT OF HARWOOD PARK
LOTS 683-688 & 707-720
& OPEN SPACE
LOTS 704-A & 706-A

1ST ELECTION DISTRICT HOWARD COUNTY, MARYLAND
CSD# 14-1-30
DATE: 01/27/17
SHEET: 1 OF 1

JW
MS
JF

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January 30, 2017

The Honorable Allan H. Kittleman
Howard County Executive
3430 Courthouse Drive
Ellicott City, MD 21043

2017 FEB - 6 PM 2:02

HOWARD COUNTY COUNCIL
RECEIVED

RE: Request for Disposition of Real Property

Dear Mr. Kittleman:

Please be advised that this office represents Meadowlark, LLC (the "Petitioner").

The purpose of this letter is to request Howard County's (the "County") cooperation to close and convey a 0.465 acre portion of dedicated right-of-way known as "Forest Avenue" (the "Right-Of-Way") as shown on the attached "Right-Of-Way Abandonment Exhibit" (the "Exhibit"). The Right-Of-Way was originally owned by Petitioner. Petitioner dedicated the Right-Of-Way to the County with the submission of Final Plan F-06-133 in order to have a proposed Forest Avenue serve the development of residential units on lots 683-688 & 707-720 ("Lots"). The Howard County Council accepted the offer of dedication under Council Resolution 143-2006.¹ Forest Avenue, however, has never been constructed.

Since the time of approval of Final Plan F-06-133 and the dedication of the Right-Of-Way, the Petitioner has determined that its property cannot be developed in accordance with Final Plan F-06-133. Consequently, the Petitioner, after conferring with the County, undertook the appropriate actions to have the County rescind the approval of Final Plan F-06-133. The closure and return of the previously dedicated Right-Of-Way from the County to the Petitioner is necessary to complete this rescission.

¹The Howard County Council removed a provision that required construction of the new portion of Forest Avenue on or before December 31, 2008 via Council Resolution 174-2012.

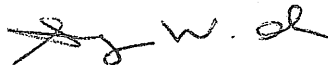
Allan H. Kittleman
January 27, 2017
Page 2 of 2

Pursuant to Section 4.201 of the Howard County Code, please accept this letter on behalf of Petitioner as a request to introduce legislation to dispose of real property contained within the Right-Of-Way following the closing of that portion of Forest Avenue referenced and specified on the Exhibit. Furthermore, in consideration of Petitioner's Request for Road Closure to the County Council, a copy of which is also being provided to your office, we also request that the advertising and bidding requirements for Section 4.201 be waived and that the 0.465 acres in question be conveyed by the County to the Petitioner for one dollar. The Petitioner owns the undeveloped land which adjoin the Right-Of-Way. The land in question only has value to the Petitioner or the owner of the undeveloped land. The conveyance of the Right-Of-Way in question from the County to the Petitioner would assist the property owner in the event that some configuration of development would proceed in the future.

Thank you for your time and consideration of this request.

Very truly yours,

Talkin & Oh, LLP



By: Sang W. Oh

cc: ✓ Honorable Jon Weinstein, Chair, Howard County Council
Jessica Feldmark, Administrator, Howard County Council
B. Diane Wilson, Chief of Staff
Jahantab Siddiqui, Deputy Chief of Staff
Jennifer Sager, Legislative Coordinator, County Administration
Jim Irvin, Director, Department of Public Works
Karen Stires, Acting Chief, Department of Public Works, Real Estate Services
Valdis Lazdins, Director, Department of Planning and Zoning