

# County Council of Howard County, Maryland

2017 Legislative Session

Legislative day # 6

## RESOLUTION NO. 35 - 2017

Introduced by: The Chairperson at the request of Meadowlark, LLC

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

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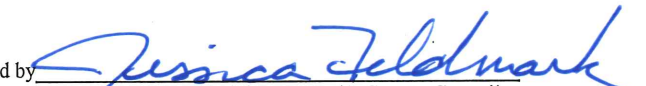
Introduced and read first time on April 3, 2017.

By order   
Jessica Feldmark, Administrator to the County Council

Read for a second time and a public hearing held on April 19, 2017.

By order   
Jessica Feldmark, 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This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn  by the County Council on May 1, 2017.

Certified by   
Jessica Feldmark, 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,  
2 Meadowlark, LLC (“petitioner”) has petitioned the Howard County Council to close a portion of  
3 Forest Avenue; 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 Forest Avenue to be closed is described in Exhibit A and  
7 shown on the attached certified plat identified as Exhibit B; and

8           **WHEREAS**, the right-of-way that contains this portion of Forest Avenue was dedicated  
9 to Howard County, Maryland under Council Resolution 143-2006;

10          **WHEREAS**, this portion of Forest Avenue (aka Forrest Avenue) was shown on the plat  
11 entitled “Plat of Har-wood” recorded among the Land Records of Howard County, Maryland at  
12 liber 60, folio 155 in 1893; and

13          **WHEREAS**, the plans to construct this portion of Forest Avenue have never been  
14 implemented and the road has not been built and the plans to build it have been abandoned; and

15          **WHEREAS**, there are no homes or other structures along this portion of Forest Avenue;  
16 and

17          **WHEREAS**, the Departments of Public Works, Planning and Zoning, Police, and Fire  
18 and Rescue Services have each reviewed and recommended the proposal to close a portion of  
19 Forest Avenue and each has determined the closure of this portion of Forest Avenue will not  
20 affect public safety, the traffic network, or public convenience; and

21          **WHEREAS**, the petitioner owns the adjacent land; and

22          **WHEREAS**, the petitioner has paid a fee in accordance with Section 18.204 to cover the  
23 costs of advertising the proposed closing, notifying adjoining property owners, and posting the

1 road; and

2           **WHEREAS**, the closure of this portion of Forest Avenue will not require any changes to  
3 traffic control; and

4           **WHEREAS**, notice of the proposed closing and abandoning of this portion of Forest  
5 Avenue has been posted and advertised in accordance with Section 18.204; and

6           **WHEREAS**, the petitioner, at its cost and expense, shall cause the closure of a portion of  
7 Forest Avenue, as shown and described in Exhibits A and B, in accordance with all applicable  
8 Howard County standards and specifications.

9           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
10 Maryland this 1<sup>st</sup> day of May, 2017 that, in accordance with Section 18.204 of the  
11 Howard County Code, the closure of a portion of Forest Avenue will not adversely affect public  
12 safety, the traffic network, or public convenience and the portion of Forest Avenue shown and  
13 described in Exhibits A and B, shall be closed.

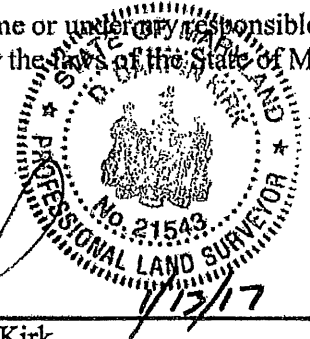

14           **BE IT FURTHER RESOLVED**, that the petitioner shall bear all of the costs and  
15 expenses associated with closure of a portion of Forest Avenue.

**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.



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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 RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21545, EXPIRATION DATE DECEMBER 31, 2017.

D. GERRIN KIRK  
LAND SURVEYOR  
NO. 21545  
REGISTRATION NO. 21545

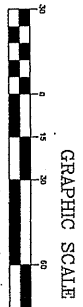
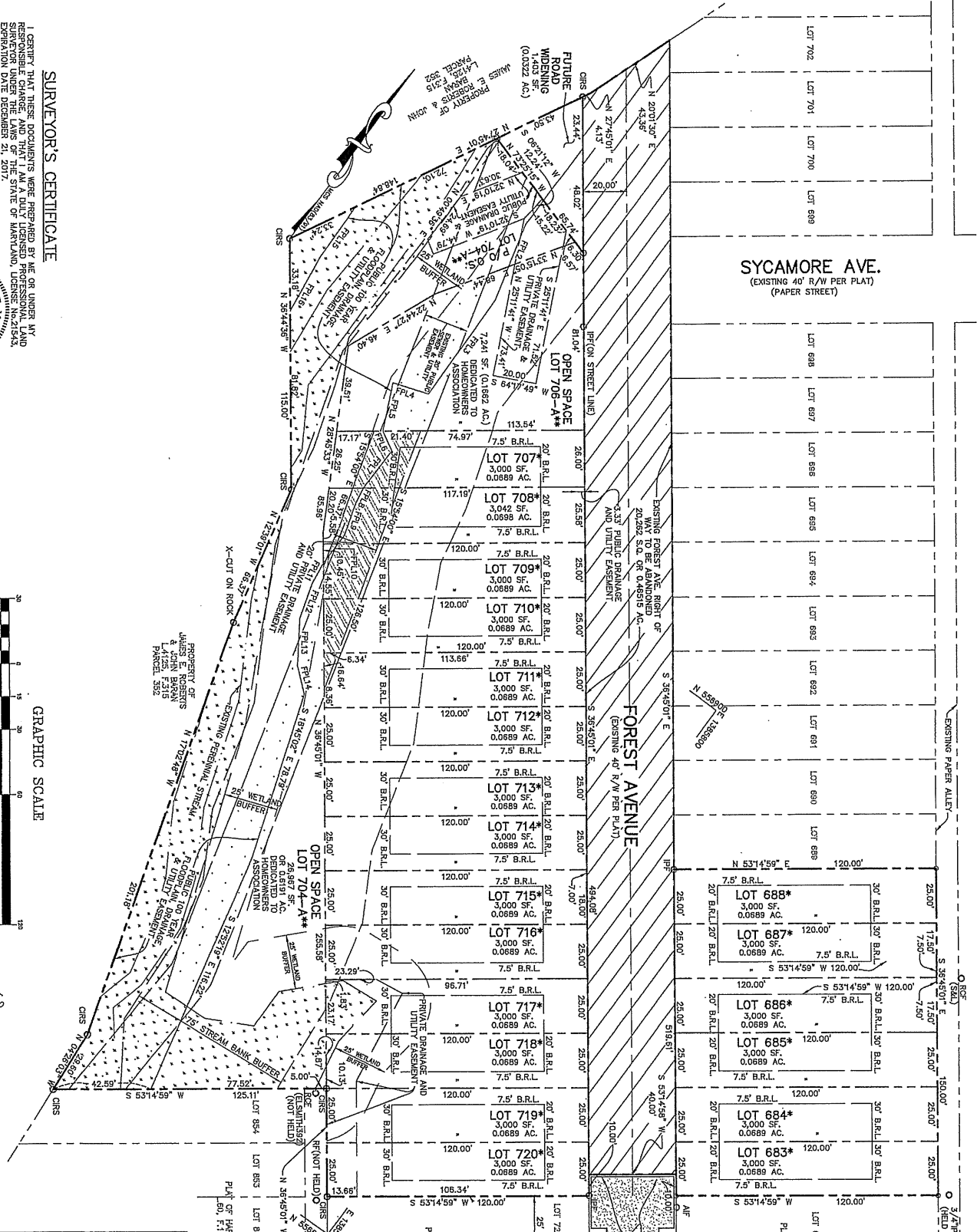


EXHIBIT B



**OWNER**  
 HAZARD L.L.C.  
 6375 HANOVER CROSSING WAY  
 HANOVER, MD 21076-2000  
 TEL: 410.285.6905



8818 Centre Park Drive, Suite 200  
 Columbia, Maryland 21045  
 (C) 410-997-8900 (F) 410-997-4282

**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  
 (800) 415-1313 FAX (410) 326-7000  
 SCALE: 1"=60'  
 DATE: 01/27/17  
 SHEET: 1 OF 1