

County Council of Howard County, Maryland

2017 Legislative Session

Legislative Day No. **12**

Resolution No. 123 -2017

Introduced by: The Chairperson at the request of the County Executive

AN ACT declaring that a total of approximately 387 square feet of real property located adjacent to South Entrance Road in Columbia is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the County's property interest to Toby's General Partnership or its successor, assignee or designee.

Introduced and read first time _____, 2017.

By order _____
Jessica Feldmark, Administrator

Read for a second time at a public hearing on _____, 2017.

By order _____
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2017.

Certified By _____
Jessica Feldmark, 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 certain real property commonly known as
2 Open Space Lot 3 which was acquired by the deed dated April 15, 1997 and recorded
3 among the Land Records of Howard County, Maryland (the “Land Records”) in Liber
4 3999, folio 138 (the “County Property”); and

5
6 **WHEREAS**, Orchard Development Corporation (“ODC”), is requesting that 387
7 square feet of the County Property located adjacent to South Entrance Road, as shown in
8 the attached Exhibit A, be conveyed to Toby’s General Partnership or its successor,
9 assignee, or designee as part of the New Cultural Center associated with FDP-DC-
10 Crescent-2, recoded among the Land Records as Plat Nos. 24160-24168; and

11
12 **WHEREAS**, the Department of Public Works has reviewed and approved the
13 proposed conveyance of its property interest in the portion of the County Property
14 containing 387 square feet, as shown in the attached Exhibit A; and

15
16 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard
17 County Code authorizes the County Council to declare that property is no longer needed
18 for public purposes and also authorizes the County Council to waive advertising and
19 bidding requirements for an individual conveyance of real property upon the request of
20 the County Executive; and

21
22 **WHEREAS**, the County Council has received a request from the County
23 Executive to waive the advertising and bidding requirements in this instance for the
24 conveyance of the portion of County Property adjacent to South Entrance Road
25 containing approximately 387 square feet to Toby’s General Partnership or its successor,
26 assignee, or designee.

27
28 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard
29 County, Maryland, this _____ day of _____, 2017, that the portion of
30 County Property containing approximately 387 square feet located adjacent to South
31 Entrance road, as shown in the attached Exhibit A, is no longer needed for a public

1 purpose and may be conveyed to Toby's General Partnership or its successor, assignee,
2 or designee.

3

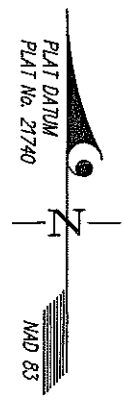
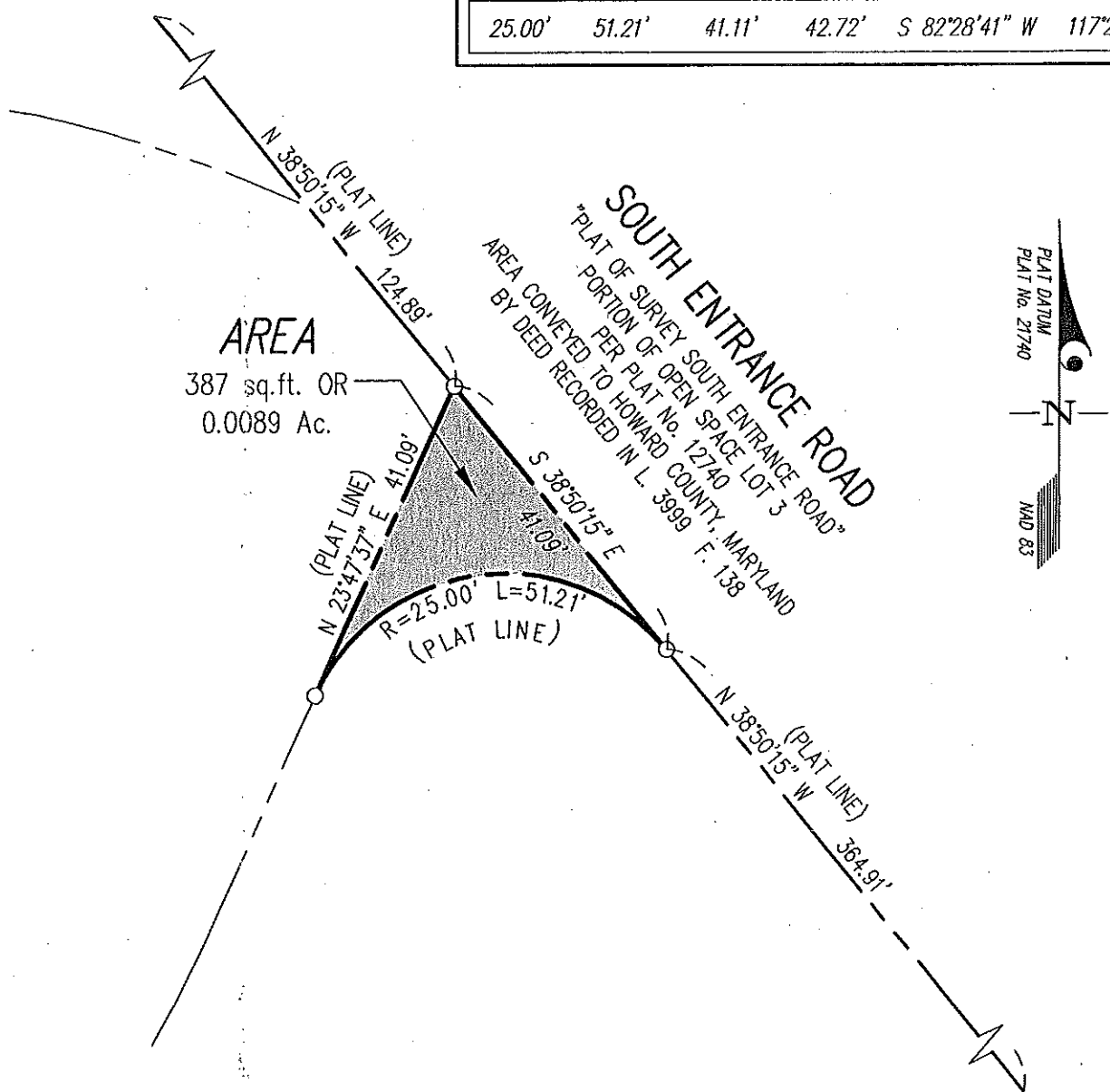
4 **AND BE IT FURTHER RESOLVED** that, having received a request from the
5 County Executive and having held a public hearing, the County Council declares that the
6 best interest of the County will be served by authorizing the County Executive to waive
7 the usual advertising and bidding requirements of Section 4.201 of the Howard County
8 Code for the conveyance of the portion of the County Property to Toby's General
9 Partnership or its successor, assignee, or designee.

10

11 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that
12 the County Property may have a further public use and that the portion of County
13 Property should not be conveyed, he is not bound to convey the portion of County
14 Property in accordance with this Resolution.

EXHIBIT 'A'

CURVE TABULATION					
RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
25.00'	51.21'	41.11'	42.72'	S 82°28'41" W	117°23'13"



S:\Survey Drawings\15107\SKETCHES\15107 ROW Aband.dwg, PLOTTED:6/13/2017 1:35 PM, LAST SAVED:6/13/2017 10:12 AM, PLOTTED BY: Bill Grueninger

SKETCH OF A PART OF
A PORTION OF OPEN SPACE LOT 3
"PLAT OF SURVEY - SOUTH ENTRANCE ROAD"
 PLAT No. 12740
 PART OF THAT AREA CONVEYED TO
 HOWARD COUNTY, MARYLAND
 BY DEED RECORDED IN L. 3999 AT FOLIO 138

5th ELECTION DISTRICT HOWARD COUNTY, MARYLAND

GLW GUTSCHICK LITTLE & WEBER, PA.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
 3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
 BURTONSVILLE, MARYLAND 20866
 TEL: 301-421-4024 BALT: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

REFERENCE : <i>PLAT No. 12740</i>		
DRAWN BY : <i>WEG</i>	DATE : <i>JUNE 2017</i>	G.L.W. FILE No. <i>15-107</i>
CHECKED BY :	SCALE : <i>1"=20'</i>	SHEET: <i>1 OF 1</i>