



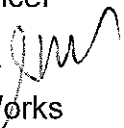
# Howard County

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## Internal Memorandum

**Subject:** Testimony & Fiscal Impact Statement  
Council Resolution No. 148- 2017 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 successors, assignee, or designee.

**To:** Lonnie R. Robbins,  
Chief Administrative Officer

**From:** James M. Irvin, Director   
Department of Public Works

**Date:** November 10, 2017

The Department of Public Works has been designated coordinator for preparation of testimony relative to declaring that approximately 387 square feet is no longer needed by Howard County, Maryland for public purposes.

The County is the owner of certain real property which was acquired by a deed dated April 15, 1997 and recorded among the Land Records of Howard County, Maryland (the "Land Records") in Liber 3999, folio 138 (the "County Property").

The County Property was intended for a previously envisioned intersection alignment that will no longer be constructed. The County Property is adjacent to the property owned by Toby's General Partnership, which is being developed as the New Cultural Center.

Orchard Development Corporation ("ODC"), is requesting that the County Property be conveyed to Toby's General Partnership or its successor, assignee, or designee as part of the New Cultural Center associated with the Final Development Plan entitled "Downtown Columbia Crescent Neighborhood, Phase 2, Final Development Plan" recorded among the Land Records as Plat Nos. 24160-24165. The County Property will be used in the development of the New Cultural Center.

The County Property will ultimately be transferred to the Howard County Housing Commission ("Housing Commission") for development of the New Cultural Center pursuant to a Development Rights and Responsibilities Agreement between Howard County and Howard Research and Development Corporation signed and dated February 3, 2017.

The Department of Public Works has reviewed and approved the proposed conveyance of the County Property.

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Section 4.201, "Disposition of Real Property," of the Howard County Code authorizes the County Council to declare that property is no longer needed for public purposes and also authorizes the County Council to waive advertising and bidding requirements for an individual conveyance of real property upon the request of the County Executive.

The County Council has received a request from the County Executive to waive the advertising and bidding requirements in this instance for the conveyance of the County Property to Toby's General Partnership or its successor, assignee, or designee.

This Resolution authorizes conveyance of the County Property to Toby's General Partnership, or its successor, assignee, or designee; however, depending on the time of such conveyance in relation to the New Cultural Center regulatory approvals and the anticipated transfer of the County Property to the Housing Commission, the County Property may be conveyed directly to the Housing Commission.

Representatives of this department will be present at the public hearing to answer any questions or concerns. If you require any further information concerning this matter or have any additional questions, please do not hesitate to contact me at your convenience.

cc: Jennifer Sager  
File