

**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 September 5, 2017.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Read for a second time at a public hearing on September 18, 2017.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted\_\_\_, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn , by the County Council on October 2, 2017.

Certified By Jessica Feldmark  
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.

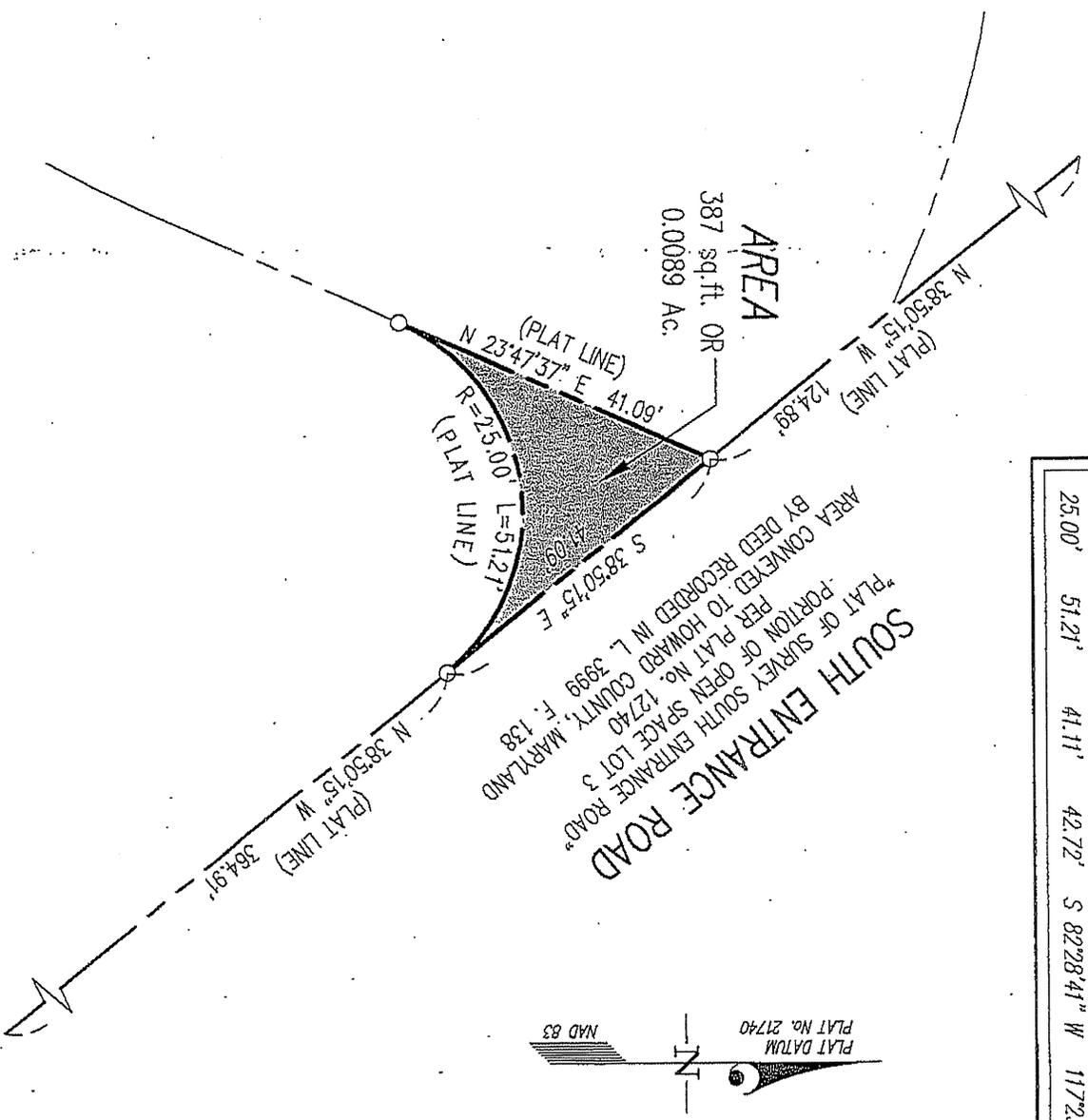
10

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"



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, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS  
 3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE, MARYLAND 20886  
 TEL: 301-421-4024 BALT: 410-880-1820 DC/VA: 301-989-2524 FAX: 301-421-4166

REFERENCE: PLAT No. 12740

DRAWN BY: MEG DATE: JUNE 2017 GLW FILE No. 15-107

CHECKED BY: SCALE: 1"=20' SHEET: 1 OF 1