



Howard County

Internal Memorandum

Subject: Testimony & Fiscal Impact Statement
Council Resolution No. _____ - amending a provision in Council Resolution No. 143-2006 that required certain construction on or before December 31, 2008 or the County's acceptance of a portion of Forrest Avenue would be null and void

To: Lonnie R. Robbins
Chief Administrative Officer

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

Date: October 18, 2012

The Department of Public Works has been designated coordinator for the preparation of testimony relative to amending a provision in Council Resolution No. 143-2006 that required certain construction on or before December 31, 2008 or the County's acceptance of a portion of Forrest Avenue would be null and void.

In 2006, Resolution 143-2006 was approved to identify Forrest Avenue as a public road. Page 2, Lines 10-12 of the Resolution required the developer to start construction of Forrest Avenue on or before December 31, 2008. On November 13, 2007, Meadowlark, LLC, the developer, entered into a developer agreement titled "Timber Ridge" (P&Z File No. F-06-133) for the construction of the public improvements and posted all security to cover the construction of the roadway. Due to the economy, the developer has not been able to start construction of his project.

Since the timeframe noted in the Resolution has passed, the department is requested that the Resolution be amended to remove the deadline date to allow the developer to move forward with construction of Forrest Avenue as soon as the economy improves. Upon the approval of this resolution, the department will amend the developer agreement to grant the developer additional time to complete construction.

There is no fiscal impact to the County as all work will be done by the developer.

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

cc: Jennifer Sager
File

TAR/Legislation/ForrestAvenue/Testimony