

County Council of Howard County, Maryland

2018 Legislative Session

Legislative Day No. 10

Resolution No. 118 -2018

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

AN ACT declaring that a total of approximately 1,312 square feet of real property with the reservation for an Underground Storm Water Management facility in Ellicott City 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 the adjacent property owner.

Introduced and read first time _____, 2018.

By order _____
Jessica Feldmark, Administrator

Read for a second time at a public hearing on _____, 2018.

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 _____, 2018.

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 of certain real property which was acquired
2 by deed to the County dated June 10, 1947 and recorded among the Land Records of
3 Howard County, Maryland (the “Land Records”) in Liber 198, folio 264 which is a part
4 of the largest public parking lot for historic Ellicott City (the “Parking Lot”); and
5

6 **WHEREAS**, the Parking Lot is adjacent to the property identified as Parcel 126
7 on Tax Map 25A (the “Adjacent Parcel”); and
8

9 **WHEREAS**, a portion of the Parking Lot described in the attached Exhibits A
10 and shown in the attached Exhibit B (the “Unpaved Area”) and the Adjacent Parcel is
11 being utilized by River House Pizza, Co. LLC (“River House”) for its operation of a
12 restaurant; and
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14 **WHEREAS**, the Unpaved Area will continue to be used in the operation of the
15 River House pizza restaurant in historic Ellicott City and the County will retain the right
16 to utilize the Unpaved Area for an Underground Storm Water Management facility; and
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18 **WHEREAS**, the Department of Public Works has reviewed and approved the
19 proposed conveyance of the Unpaved Area with the reservation for the Underground
20 Storm Water Management facility, as described in the attached Exhibit A and shown in
21 the attached Exhibit B; and
22

23 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard
24 County Code authorizes the County Council to declare that property is no longer needed
25 for public purposes and also authorizes the County Council to waive advertising and
26 bidding requirements for an individual conveyance of real property upon the request of
27 the County Executive; and
28

29 **WHEREAS**, the County Council has received a request from the County
30 Executive to waive the advertising and bidding requirements in this instance for the
31 conveyance of the Unpaved Area of the Parking Lot to the owner of the Adjacent Parcel.

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NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland, this ____ day of _____, 2018, that the Unpaved Area containing approximately 1,312 square feet, subject to the reservation for the underground storm water management facility, as described in the attached Exhibit A and shown in the attached Exhibit B, is no longer needed for a public purpose and may be conveyed to the owner of the Adjacent Parcel.

AND BE IT FURTHER RESOLVED that, having received a request from the County Executive and having held a public hearing, the County Council declares that the best interest of the County will be served by authorizing the County Executive to waive the usual advertising and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of the Unpaved Area of the Parking Lot to the owner of the Adjacent Parcel.

AND BE IT FURTHER RESOLVED that, if the County Executive finds that the Unpaved Area may have a further public use and that the Unpaved Area of the Parking Lot should not be conveyed, he is not bound to convey the Unpaved Area of the Parking Lot in accordance with this Resolution.

Howard County, Maryland
 Department of Public Works
 Bureau of Engineering, Survey Division

Project No.:
 Plat No.:
 Survey Job No.: 2018-022

**DESCRIPTION OF
 AREA TO BE CONVEYED
 BY
 HOWARD COUNTY, MARYLAND
 p/o LIBER 198, FOLIO 264**

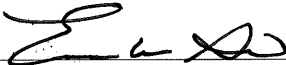
BEING a part of land which by Deed dated June 10, 1947, and recorded among the Land Records of Howard County, Maryland in Liber 198, Folio 264, was granted and conveyed by the Ellicott Theatre, Inc. to the County Commissioners of Howard County.

BEGINNING for the same at an iron pipe found at the beginning of the first or North 40 degrees 41 minutes West 122.61 foot line of the fourthly described parcel of land conveyed by Joseph J. Duff to Susan M. Duff in the Deed dated January 31, 2015 recorded among the Land Records of Howard County, Maryland in Liber 16018, Folio 139, said point also being at the end of the first or South 40 degrees 50 minutes East 131.75 foot line of the aforesaid Howard County Deed, said beginning point and pipe having the Grid coordinates in the Maryland State Plane Coordinate System NAD83(2011) of North 582785.86 feet and East 1369184.17 feet, thence from said point, for a new line through the property of Howard County, and referring all courses of this description to the meridian established in the aforementioned coordinate system,

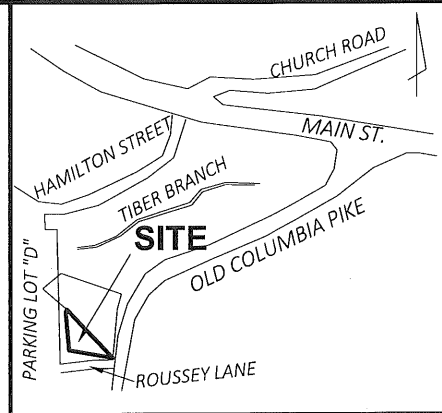
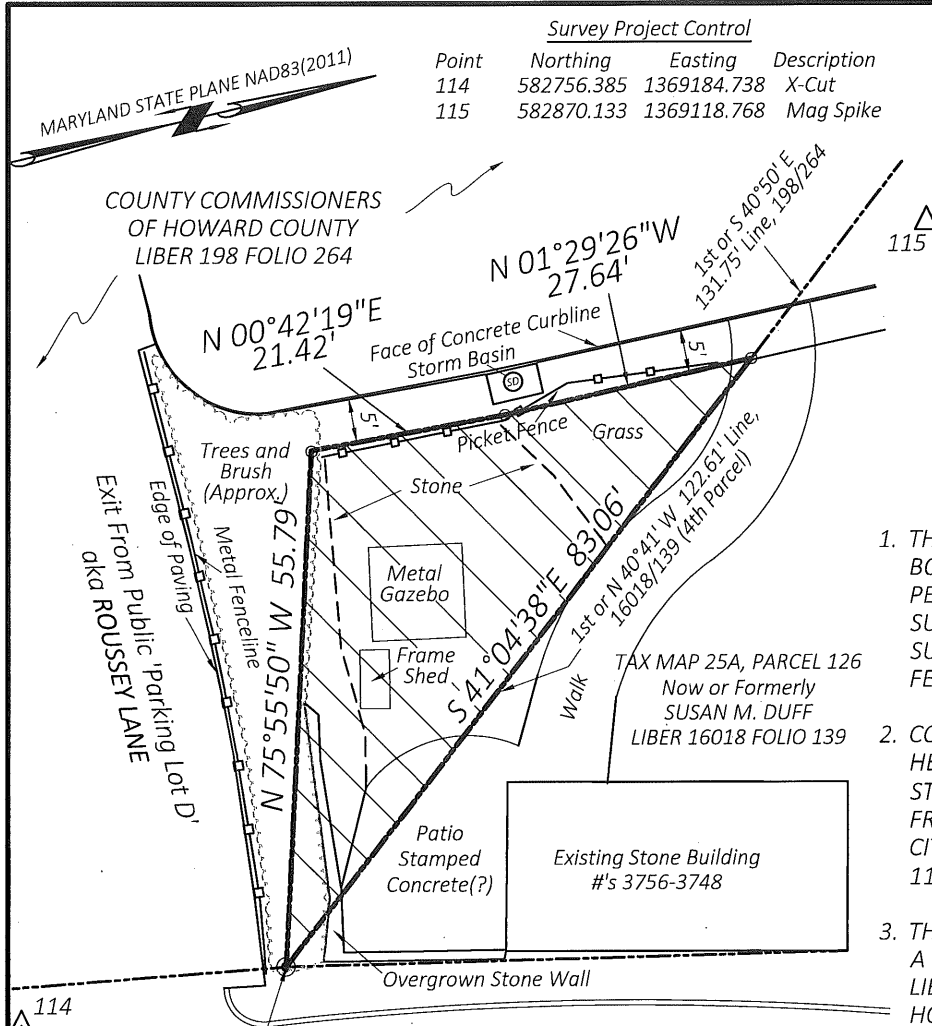
1. North 75 degrees 55 minutes 50 seconds West 55.79 feet to intersect a line drawn five (5) feet easterly and parallel to the easterly face of curb line of an existing parking lot as now surveyed, thence continuing for new lines parallel to said curb and five (5) feet easterly, the two following courses and distances,
2. North 00 degrees 42 minutes 19 seconds East 21.42 feet, and thence
3. North 01 degree 29 minutes 26 seconds West 27.64 feet to intersect the aforementioned 1st or North 40 degrees 41 minutes West 122.61 foot line of said Duff Deed, and the first or South 40 degrees 50 minutes East 131.75 foot line of said County deed, and thence binding on said line(s),
4. South 41 degrees 04 minutes 38 seconds East 83.06 feet to the point of beginning; containing 1312 square feet or 0.0301 acres of land, more or less, as surveyed in May, 2018 by the Howard County, Maryland, Department of Public Works, Bureau of Engineering, Survey Division.

The above described parcel being subject to a reservation over the entire area for a Public Underground Storm Water Management Facility.

I hereby certify that this Description and the Survey work reflected in it was prepared by me and meets all applicable requirements stated in the Code of Maryland Regulations (COMAR) Title 09, Subtitle 13, Chapter 06, "Minimum Standards of Practice" for Land Surveys.


 Edward W. Siegert
 Professional Land Surveyor,
 Maryland Registration No. 21706
 License expires 06-02-2019



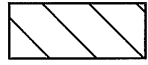


VICINITY MAP ~ NO SCALE

GENERAL NOTES

1. THIS PLAT IS BASED ON A FIELD RUN BOUNDARY SURVEY PREVIOUSLY PERFORMED BY THE HOWARD COUNTY DPW SURVEY DIVISION IN NOVEMBER, 2015, SUPPLEMENTED WITH ADDITIONAL FEATURES LOCATED IN MAY, 2018.
2. COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE MARYLAND STATE GRID NAD83(2011) AS PROJECTED FROM HOWARD COUNTY SURVEYS ELLICOTT CITY SURVEY PROJECT CONTROL STATIONS 114 AND 115 (Readjusted in August, 2017).
3. THE PURPOSE OF THIS PLAT IS TO ESTABLISH A PORTION OF THE LAND CONTAINED IN LIBER 198, FOLIO 264 TO BE CONVEYED BY HOWARD COUNTY, MARYLAND.
4. THE ENTIRE PARCEL TO BE CONVEYED IS SUBJECT TO A RESERVATION FOR A PUBLIC UNDERGROUND STORM WATER MANAGEMENT FACILITY

POINT OF BEGINNING
IRON PIPE FOUND
N. 582785.86
E. 1369184.17

 = AREA TO BE CONVEYED
1312 SQUARE FEET or
0.0301 ACRES OF LAND +/-



I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AND THAT THIS SURVEY AND PLAT MEETS THE APPLICABLE REQUIREMENTS STATED IN THE CODE OF MARYLAND REGULATIONS (COMAR) TITLE 09, SUBTITLE 13, CHAPTER 06, "MINIMUM STANDARDS OF PRACTICE" FOR LAND SURVEYS.

Edward W. Siegert 6/26/18

EDWARD W. SIEGERT DATE
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 21706
LICENSE EXPIRES 06-02-2019

PREPARED BY:
HOWARD COUNTY DPW
BUREAU OF ENGINEERING
SURVEY DIVISION



PLAT No.:
PROJECT No.:
SCALE: 1" = 20'
DATE OF PLAT: 06/26/18

AREA TO BE CONVEYED
BY
HOWARD COUNTY, MARYLAND
A PORTION OF THE LAND CONTAINED IN
LIBER 198 FOLIO 264
2nd ELECTION DISTRICT HOWARD COUNTY, MARYLAND
TAX MAP 25A, GRID 15, p/o PARCEL 264

APPROVED:
OFFICE OF LAW

APPROVED:
REAL ESTATES SERVICES DIVISION