

# County Council Of Howard County, Maryland

2019 Legislative Session

Legislative Day No. **1**

## Resolution No. 4-2019

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

A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that two portions of a water, sewer, and utility easement containing approximately 0.114 acres of property conveyed to Howard County, Maryland are no longer needed by the County for public purposes; authorizing the County Executive to terminate the easement interest, vesting title to the fee simple owner, The Normandy Venture Limited Partnership; and providing that the County Executive is not bound to terminate the easement interest if he finds that the easements may have a further public use.

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Introduced and read first time \_\_\_\_\_, 2019.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Read for a second time at a public hearing on \_\_\_\_\_, 2019.

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This Resolution was read the third time and was Adopted\_\_\_, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn\_\_\_, by the County Council on \_\_\_\_\_, 2019.

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**, as part of Capital Project 33-W&S, the County acquired a water, sewer, and  
2 utility easement ( the “Easement”) by Deed and Agreement dated January 26, 1968 and recorded  
3 among the Land Records of Howard County, Maryland in Liber 482, Folio 284 on certain  
4 property that is now owned by The Normandy Venture Limited Partnership (the “Owner”) and is  
5 improved as the Normandy Shopping Center; and

6  
7           **WHEREAS**, a recent survey by the Owner, revealed that the utilities are not located in  
8 portions of the areas described in the Easement and such areas of the Easement conflict with the  
9 existing buildings as shown in the attached Exhibits A and B; and

10  
11           **WHEREAS**, upon the redevelopment of the Normandy Shopping Center, the Owner will  
12 convey to the County new utility easements for the utilities as the utilities have been relocated;  
13 and

14  
15           **WHEREAS**, Owner has requested that the portions of the Easement located on the plat  
16 entitled “Abandonment of a Portion of Public Sewer, Water, and Utility Easement” and attached  
17 hereto as Exhibits A and B be abandoned (collectively, the “Easement to be Abandoned”); and

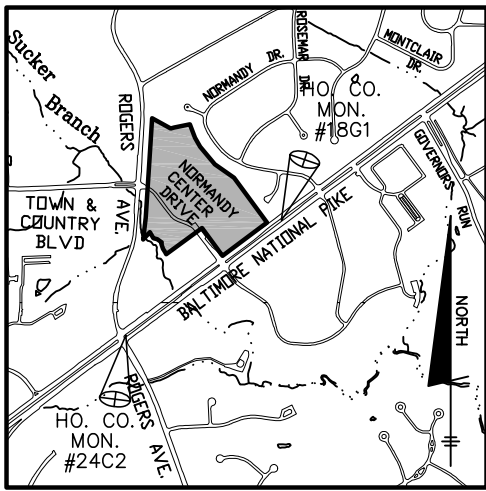
18  
19           **WHEREAS**, the County has reviewed the plans submitted by Owner and has determined  
20 that the Easement to be Abandoned is no longer required for public purposes; and

21  
22           **WHEREAS**, Section 4.201 “Disposition of real property” of the Howard County Code  
23 authorizes the County Council to declare that property is no longer needed for public purposes.

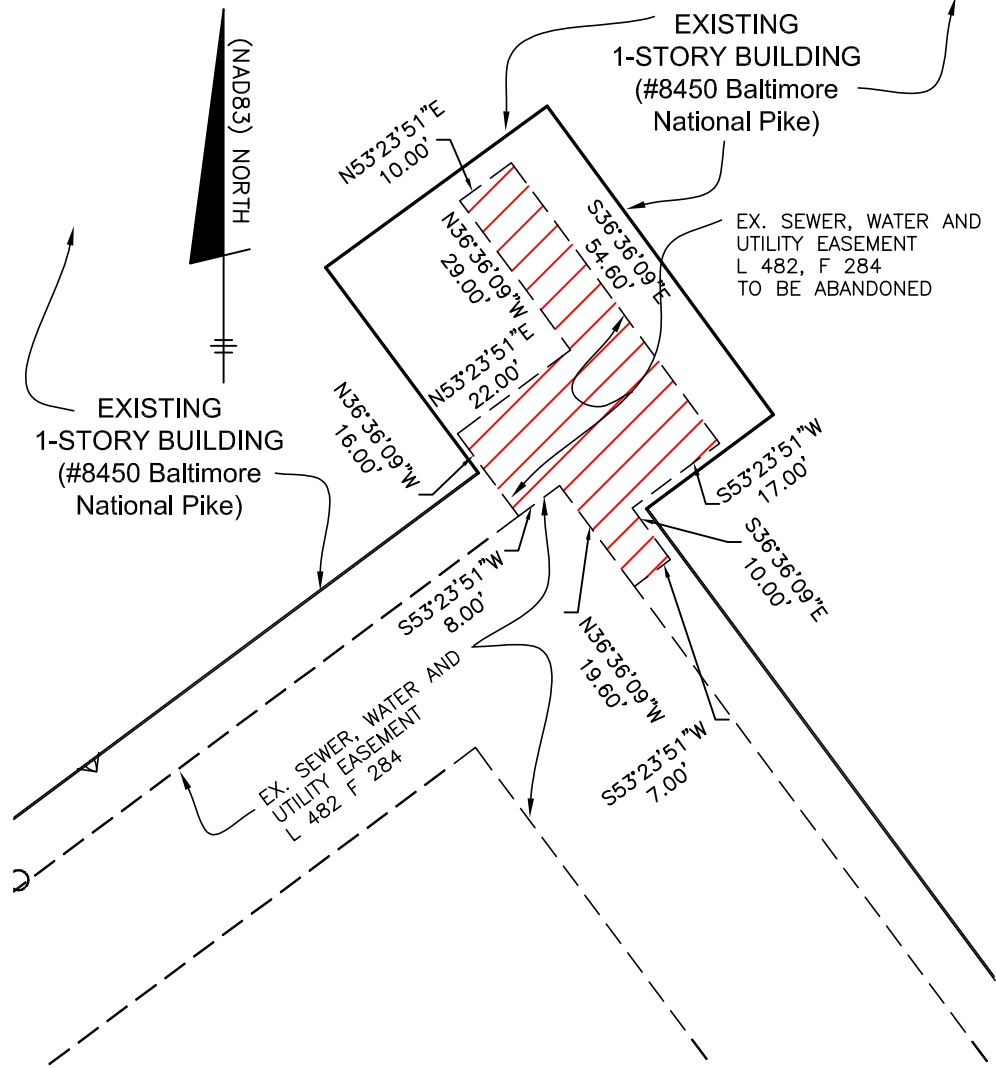
24  
25           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
26 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2019, that the Easement to be Abandoned, that  
27 is, portion of the Easement to be abandoned as shown in Exhibit A and Exhibit B is no longer  
28 needed by the County for public purposes and may be terminated, vesting title to the fee simple  
29 Owner, The Normandy Venture Limited Partnership, upon the condition that the Owner will  
30 convey to the County new utility easements for the utilities as the utilities have been relocated;  
31 and


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**BE IT FURTHER RESOLVED** that if the County Executive finds that the Easement to be Abandoned may have a further public use and that the Easement to be Abandoned should not be terminated, he is not bound to terminate the Easement to be Abandoned in accordance with this Resolution.



ADC MAP 21 GRID C6  
**VICINITY MAP**  
 SCALE: 1" = 2000'

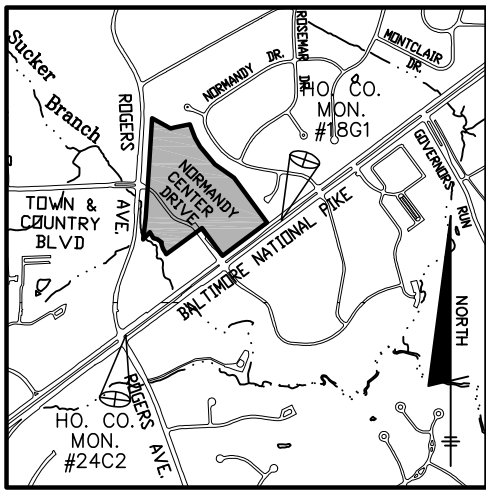


 PUBLIC SEWER, WATER, AND UTILITY EASEMENT TO BE ABANDONED  
 1,102± S.F. OR 0.025± AC.

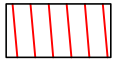
**BENCHMARK**  
 ENGINEERS ▲ LAND SURVEYORS ▲ PLANNERS  
**ENGINEERING, INC.**

HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS  
 ABANDONMENT OF A PORTION OF  
 PUBLIC SEWER, WATER, AND UTILITY EASEMENT  
 TAX MAP: 18 PARCEL: 75 – LIBER 482 FOLIO 284  
 ELECTION DISTRICT: 2  
 HOWARD COUNTY, MARYLAND

SCALE: 1" = 30'  
 DATE: AUGUST, 2018

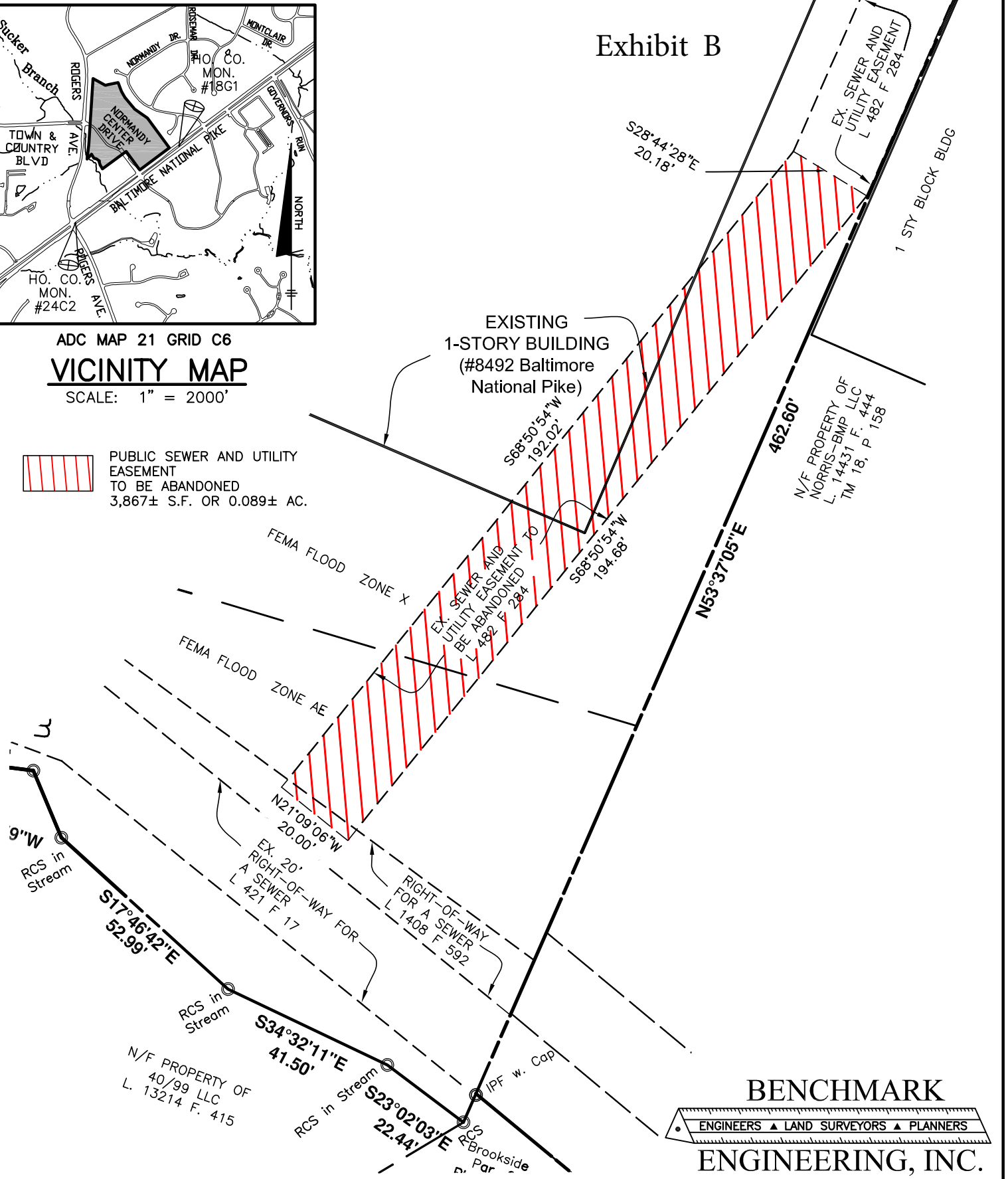


ADC MAP 21 GRID C6  
**VICINITY MAP**  
 SCALE: 1" = 2000'



PUBLIC SEWER AND UTILITY EASEMENT TO BE ABANDONED  
 3,867± S.F. OR 0.089± AC.

Exhibit B



**BENCHMARK**

ENGINEERS ▲ LAND SURVEYORS ▲ PLANNERS

**ENGINEERING, INC.**

HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS  
 ABANDONMENT OF A PORTION OF  
 PUBLIC SEWER, WATER, AND UTILITY EASEMENT

SCALE: 1" = 30'  
 DATE: AUGUST, 2018

TAX MAP: 18 PARCEL: 75 - LIBER 482 FOLIO 284  
 ELECTION DISTRICT: 2  
 HOWARD COUNTY, MARYLAND