

County Council Of Howard County, Maryland

2013 Legislative Session

Legislative Day No. 8

Resolution No. 85 -2013

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

A RESOLUTION declaring that a total of approximately .1596 acres of real property maintained by Howard County and identified as a portion of the right-of-way of Dorsey Run Road 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 property to ~~Savage Towne Centre Ventures, LLC~~ Annapolis Junction Town Center, LLC; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.

Introduced and read first time _____, 2013.

By order _____
Shelia M. Tolliver, Administrator

Read for a second time at a public hearing on _____, 2013.

By order _____
Shelia M. Tolliver, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2013.

Certified By _____
Shelia M. Tolliver, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, pursuant to the National Business Park Agreement dated August 15, 2001,
2 the parties agreed to the construction, funding, and maintenance of various road improvements
3 and specifically, the Maryland State Highway Administration (“SHA”) agreed to convey to
4 Howard County for ownership and maintenance that portion of Dorsey Run Road from Guilford
5 Road to the MD 32 ramps and from Henkels Lane to Bridge Number 13125, Dorsey Run Road
6 over Brock Bridge Road, including all lands constituting the rights-of-ways thereto (the
7 “Agreement”), a copy of the Agreement is attached hereto as Exhibit A; and
8

9 **WHEREAS**, upon the completion of the Dorsey Run Road improvements shown on
10 SHA Plat Number 57272 (the “Plat”), a copy of which is attached hereto as Exhibit B, the
11 County has maintained Dorsey Run Road; however, SHA has not conveyed a deed to Dorsey
12 Run Road as set forth in Exhibit G of the Agreement, but is currently engaged in the process to
13 effectuate the transfer of title with the approval by the Maryland Board of Public Works; and
14

15 **WHEREAS**, by passage of Council Resolution No. 20-2009 and 4-2013, the County
16 Council approved a Memorandum of Understanding between Howard County and Annapolis
17 Junction Town Center, LLC (formerly known as Petrie Ross Ventures D.C., LLC) as part of a
18 legislative package related to the construction of a public parking garage to serve the MARC
19 station in Savage and for the development of a mixed-use project consisting of residential, office,
20 retail and hotel uses within the Savage Town Centre Development District (the “Development”);
21 and
22

23 **WHEREAS**, a 0.1596 acre portion of the right-of-way as shown as “Part of Dorsey Run
24 Road to be abandoned” in the attached Exhibit C (“Right-of-Way Area”) is required in order to
25 accomplish the Development. The Development will result in a re-configuration of a new right-
26 of-way area that will be conveyed back to the County through the County’s land development
27 process; and
28

29 **WHEREAS**, the County Council deems it in the public interest to have the Development
30 completed in an expeditious manner and not cause further, undue delay; and
31

1 **WHEREAS**, the County Council deems it in the public interest for the County Executive
2 to have the authority provided herein by this Resolution as soon as the Transfer is effectuated;
3 and

4
5 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
6 disposal of the Right-of-Way Area; and

7
8 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
9 authorizes the County Council to declare that property is no longer needed for public purposes
10 and also authorizes the County Council to waive advertising and bidding requirements for an
11 individual conveyance of real property upon the request of the County Executive; and

12
13 **WHEREAS**, the County Council has received a request from the County Executive to
14 waive the advertising and bidding requirements in this instance for the conveyance of the Right-
15 of-Way Area to ~~Savage Towne Centre Ventures, LLC~~ Annapolis Junction Town Center, LLC.

16
17 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
18 Maryland, this ____ day of _____, 2013, that a public purpose is served by
19 conveying the Right-of-Way Area comprising approximately 0.1596 acres to ~~Savage Towne~~
20 ~~Centre Ventures, LLC~~ Annapolis Junction Town Center, LLC as shown in the attached Exhibit
21 C.

22
23 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
24 Executive and having held a public hearing, the County Council declares that the best interest of
25 the County will be served by authorizing the County Executive to waive the usual advertising
26 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
27 the Right-of-Way Area to ~~Savage Towne Centre Ventures, LLC~~ Annapolis Junction Town
28 Center, LLC.

29
30 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land
31 may have a further public use and that the Right-of-Way Area should not be conveyed, he may

- 1 submit his findings and recommendations to the County Council for its consideration without
- 2 being bound to convey the Right-of-Way Area in accordance with this Resolution.