

County Council Of Howard County, Maryland

2013 Legislative Session

Legislative Day No. 14

Resolution No. 169 -2013

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

A RESOLUTION declaring that a total of approximately 1.59 acres of real property owned by Howard County and identified as Open Space Lot 399 is no longer needed for a public purpose; 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 Taylor Properties Community Association; 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.

Introduced and read first time December 2, 2013.

By order

Shelia M. Tolliver
Shelia M. Tolliver, Administrator

Read for a second time at a public hearing on December 16, 2013.

By order

Shelia M. Tolliver
Shelia M. Tolliver, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council

on January 6, 2014.

Certified By

Shelia M. Tolliver
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**, Howard County is the fee simple owner of certain real property known
2 Open Space Lot 399 containing approximately 1.59 acres of land, as shown in the attached
3 Exhibit A, acquired by Deed dated January 21, 2004 and recorded among the Land Records at
4 Liber 8657, Folio 268 ("County Property") pursuant to the Subdivision and Land Development
5 Regulations for the subdivision entitled "Autumn View, Section 5, Phase 5 – Lots 380-396 and
6 Open Space Lot 399" (Plat No. 16535, F-03-208); and
7

8 **WHEREAS**, a driveway was constructed on the Open Space Lot 399 to serve residential
9 properties known as 4210, 4212, and 4214 College Avenue, as shown in the attached Exhibit B;
10 and
11

12 **WHEREAS**, Taylor Properties Community Association, the owner of the adjacent
13 property, open space lot 412, has requested that the County Property be disposed of in
14 accordance with Section 4.201 of the Howard County Code to Taylor Properties Community
15 Association; and
16

17 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
18 disposal of the County Property; and
19

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

25 **WHEREAS**, the County Council has received a request from the County Executive to
26 waive the advertising and bidding requirements in this instance for the conveyance of the County
27 Property to Taylor Properties Community Association.
28

29 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
30 Maryland, this 6TH day of January, 2014, that a public purpose is served by

1 conveying the County Property comprising approximately 1.59 acres, as shown in the attached
2 Exhibit A, to Taylor Properties Community Association.

3
4 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
5 Executive and having held a public hearing, the County Council declares that the best interest of
6 the County will be served by authorizing the County Executive to waive the usual advertising
7 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
8 the County Property to Taylor Properties Community Association.

9
10 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land
11 may have a further public use and that the County Property should not be conveyed he is not
12 bound to convey the County Property in accordance with this Resolution.



