County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 2

Resolution No. 19-2014

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

A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement to Baltimore Gas and Electric Company on certain real property owned by the County known as Open Space Lot 11 located in Ellicott City; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to grant the easement if he finds that the land may have a further public use.

Introduced and read first time, 2014.	
	By order Sheila M. Tolliver, Administrator
Read for a second time at a public hearing on	, 2014.
	By order Sheila M. Tolliver, Administrator
This Resolution was read the third time and was Adopted, Adopted with amendments, Failed, Withdrawn, by the County Council	
on, 2014.	

Certified By ______

Sheila 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**, the County is the fee simple owner of certain real property known as Open Space Lot 11 on the subdivision plat entitled "Oak West Section 1, Area 1, Lots 1 thru 11" 2 3 recorded as Plat Number 7505 in the Land Records of Howard County, Maryland (the "Land Records") comprising 11.664 acres and located along Oak West Street in Ellicott City (the 4 5 "County Property"), acquired by Deed dated February 4, 1987 and recorded among the Land Records at Liber 1752, Folio 26 and; and 6 7 8 WHEREAS, Baltimore Gas and Electric Company ("BGE") has requested permission to enter upon and use, from time to time, a portion of the County Property containing 9 approximately 0.510 acres for the sole purpose of replacing and maintaining utility poles on the 10 11 County Property, as shown in the attached Exhibit A (the "Easement"); and 12 WHEREAS, the Department of Public Works has reviewed and approved the proposed 13 Easement: and 14 15 16 WHEREAS, Section 4.201, "Disposition of Real Property," of the Howard County Code authorizes the County Council to declare that property is no longer needed for public purposes 17 18 and also authorizes the County Council to waive advertising and bidding requirements for an 19 individual conveyance of real property upon the request of the County Executive; and 20 21 WHEREAS, as a matter of course, even when the County retains fee ownership of the 22 property and continues its use of the property upon which an easement is granted, the County 23 Executive requests the County Council to approve the easement under Section 4.201; 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 grant of the Easement to 27 BGE. 28 29 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County, 30 Maryland, this _____ day of _____, 2014, that an Easement is granted to BGE

1

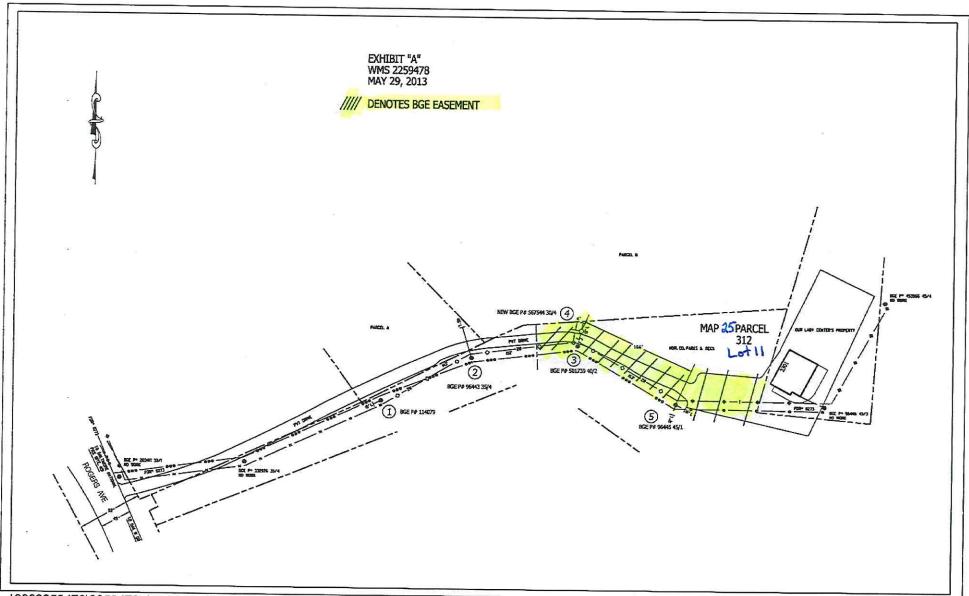
comprising approximately 0.510 acres, as shown on the attached Exhibit A, for the purpose of
replacing and maintaining utility poles.

3

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 Easement to BGE.

9

10 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land 11 to be subject to the Easement may have a further public use which the easement will deter and, 12 therefore, that the Easement should not be granted, he is not bound to grant the Easement in 13 accordance with this Resolution.



...\0002259478\2259478.dgn 1/22/2014 3:02:50 PM