

# County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 2

## Resolution No. 20 -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 property owned by the County located along Court House Drive 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.

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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This Resolution was read the third time and was Adopted\_\_\_, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn\_\_\_, by the County Council on \_\_\_\_\_, 2014.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 Court  
2 House Drive as acquired (1) from Debora G. Latona by Deed dated June 13, 1990 and recorded  
3 among the Land Records of Howard County in Liber C.M.P., No. 2192, at folio 631; (2) from  
4 The Maryland Water Works Company by Deed dated August 28, 1958 and recorded among the  
5 Land Records of Howard County in Liber R.H.M., No. 319, folio 364; and (3) from Margaret  
6 Beccio Spittel and Immacolata L. Wolf by Deed dated June 15, 1978 and recorded among the  
7 Land Records of Howard County in Liber C.M.P., No. 888, folio 373, (the “County Property”);  
8 and  
9

10           **WHEREAS**, Baltimore Gas and Electric Company (“BGE”) has requested permission to  
11 enter upon and use, from time to time, a portion of the County Property containing  
12 approximately 0.3685 acres for the sole purpose of installing and maintaining a replacement  
13 underground electric line to serve the Linwood Property, as shown in the attached Exhibit A (the  
14 “Easement”); and  
15

16           **WHEREAS**, the Department of Public Works has reviewed and approved the proposed  
17 Easement; and  
18

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

24           **WHEREAS**, as a matter of course, even when the County retains fee ownership of the  
25 property and continues its use of the property upon which an easement is granted, the County  
26 Executive requests the County Council to approve the easement under Section 4.201; and  
27

28           **WHEREAS**, the County Council has received a request from the County Executive to  
29 waive the advertising and bidding requirements in this instance for the grant of the Easement to  
30 BGE.  
31

1           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
2 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2014, that an Easement is granted to BGE  
3 comprising approximately 0.3685 acres, as shown on the attached Exhibit A, for the purpose of  
4 installing and maintaining a replacement underground electric line to serve the Linwood  
5 Property.

6  
7           **AND BE IT FURTHER RESOLVED** that, having received a request from the County  
8 Executive and having held a public hearing, the County Council declares that the best interest of  
9 the County will be served by authorizing the County Executive to waive the usual advertising  
10 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of  
11 the Easement to BGE.

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

# Exhibit A

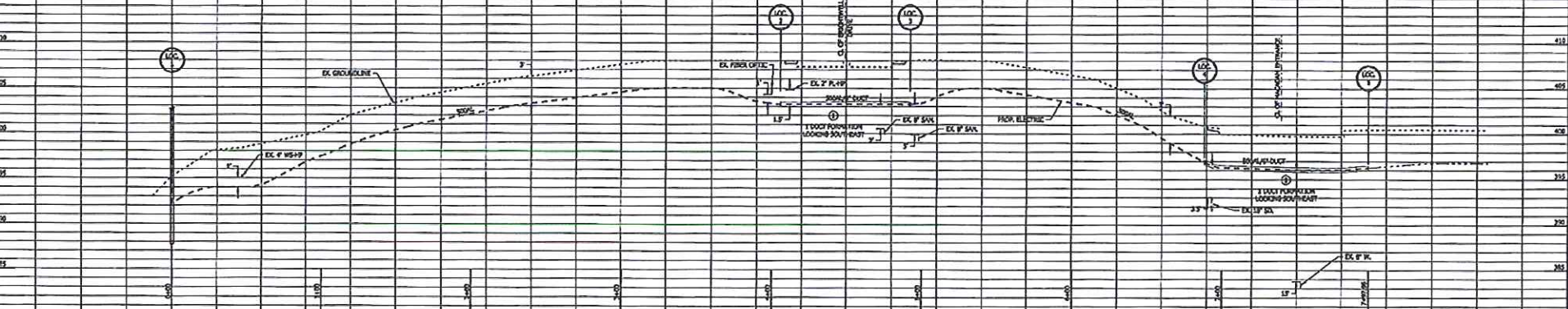
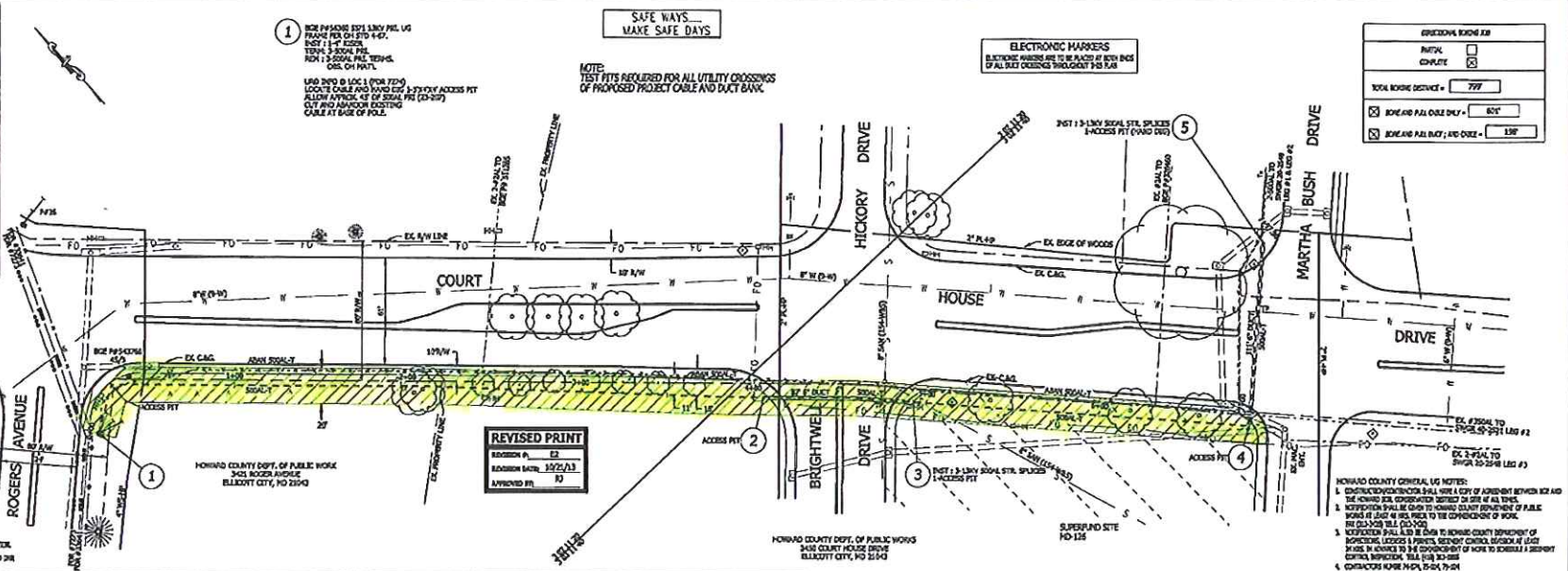
- ### SUPERFUND SITE
1. THIS JOB REQUIRES WORK ON A POTENTIALLY CONTAMINATED AREA. FOLLOW THE JOB-SPECIFIC SAFETY AND HEALTH PLAN.
  2. FOR THE WORKER BY CONTINUATION, THE CONTRACTOR IS RESPONSIBLE FOR DEVELOPING THE JOB-SPECIFIC SITE SAFETY AND HEALTH PLAN, AND PROVIDING THE EMPLOYEES ARE INSTRUCTED WITH REQUIRED AND FOLLOW THE PLAN AND RELATED SPECIAL REQUIREMENTS.
  3. IF THE SCOPE OF WORK OR DRIVING CHANGES, CONTACT YOUR FIRST-LINE SUPERVISOR AND IMMEDIATELY NOTIFY FOR ASSISTANCE. FOR ALL DRIVING CHANGES, CONTACT THE SUPERVISOR, SAFETY & INCIDENTS, INCIDENT AT 68-09-0224.
  4. IF YOU FIND SUSPICIOUS CONTAMINANTS, STOP WORK IMMEDIATELY AND CONTACT YOUR SUPERVISOR IMMEDIATELY FOR ASSISTANCE. IN ADDITION WORKERS SHOULD WEAR PROTECTIVE GEAR AND CONTACT THE SUPERVISOR, SAFETY & INCIDENTS, INCIDENT AT 68-09-0224.

### GENERAL UNDERGROUND NOTES

- SHOWN AS PLANNED OR CONFIRMED ARE NOT GUARANTEED. VERIFY CONDITIONS AND VERIFY LOCATION BY SURVEY OF ALL UNDERGROUND UTILITIES BEFORE PROCEEDING WITH CONSTRUCTION.
- MINIMUM 1' FC, 18" MINIMUM AND 1' FC VERTICAL CLEARANCE FROM ALL WATER MAINS, STORM MAINS AND FIRE MAINS.
- PROVIDE ALL REQUIRED PROTECTION AT THE END OF EACH DAY OF INSTALL SET BACK ALONG THE LOWER PORTION OF THE ASSURMENT.
- ALL SPILLS ARE TO BE REMOVED FROM ADJACENT AREAS IMMEDIATELY.
- ALL EXCAVATED AREAS SHALL BE STOCKPILED AND PROTECTED BY A WAIVER WHICH WILL PREVENT BREAKDOWN.
- COMPLY WITH ALL FEDERAL, STATE, LOCAL AND ABE RESPONSIBILITY REQUIREMENTS.

### MARYLAND DNR - ROADSIDE TREES

NOTE: WHEN A COPY OF THE ROADSIDE TREE REPORT IS FOR THE JOB SITE DURING CONSTRUCTION, THE USER SHALL VERIFY THE TREE REPORT IS THE LATEST COPY AND VERIFY THE TREE REPORT MEETS ALL REQUIREMENTS WITH TREEWORK ON THE ROADSIDE TREE.



PROY/TO	SECTION NO.	SHEET NO.	JOB NO.	DATE	DESCRIPTION	QUANTITY	UNIT	MATERIAL		REMARKS	DATE	BY	CHECKED	APPROVED					
								DESCRIPTION	QUANTITY										
1-5	1	777	67	664	500	ALTRIPLEX ALP(330)		22027	2-3	1	86'	86'	6"	DPL BORE DUCT	12A25				
								4-5	1	111'	111'	6"	6"	DPL BORE DUCT	12A25				
777	500	ABANDON																	

CLIENT CHOICE: [Blank] CLIENT CHOICE: [Blank]

PHONE NUMBER: [Blank] PHONE NUMBER: [Blank]

ADDRESS: [Blank]

CITY: [Blank] STATE: [Blank]

ZIP: [Blank]

DATE: [Blank] BY: [Blank] CHECKED: [Blank]

APPROVED: [Blank]

PROJECT NO.: [Blank] SHEET NO.: [Blank] OF [Blank]

PROJECT NAME: [Blank]

CLIENT: [Blank]

CONTRACTOR: [Blank]

DESIGNER: [Blank]

DATE: [Blank]

SCALE: [Blank]

PROJECT NO.: [Blank] SHEET NO.: [Blank] OF [Blank]

PROJECT NAME: [Blank]

CLIENT: [Blank]

CONTRACTOR: [Blank]

DESIGNER: [Blank]

DATE: [Blank]

SCALE: [Blank]

PHRA JOB NUMBER: 000313110

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**BGE DESIGN SERVICES**