County Council Of Howard County, Maryland

Resolution No. 29-2014

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

A RESOLUTION declaring that a total of approximately 22.58 acres of real property owned by Howard County and identified as the Mears Property and located along Lennox Road in Jessup is no longer needed for a public purpose; authorizing the County Executive to sell the property; waiving the bidding requirements of Section 4.201 of the Howard County Code; allowing the County to consider certain conditions when reviewing bids to purchase the property; 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 _____, 2014.

By order _____
Shelia M. Tolliver, Administrator

Read for a second time at a public hearing on _____, 2014.

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 _____, 2014.

Certified By _____
Shelia M. Tolliver, Administrator

1 **WHEREAS**, the County is the owner of real property located along Lennox Avenue,

2 Jessup, Maryland known as the Mears Property, as shown in the attached Exhibits A and B,

3 containing approximately 22.58 acres being part of the property acquired by deed dated

4 November 13, 2013 and recorded among the Land Records of Howard County, Maryland in

5 Liber 15346, Folio 104; and

6

7 **WHEREAS,** the County seeks to use a portion of the Mears Property for the extension of

8 Dorsey Run Road and related storm water management; and

9

10 **WHEREAS,** the County intends to enter into an agreement with a real estate consultant

11 for the purpose of marketing and selling the portion of the Mears Property (the "Property") that

12 is not required for the public road known as Dorsey Run Road and the related improvements,

13 including, storm water management; and

14

15 **WHEREAS**, Section 4.201, "Disposition of Real Property", of the Howard County Code

16 authorizes the County Council to declare that County Property is no longer needed for public

17 purposes and also authorizes the County Council to waive bidding requirements for an individual

18 conveyance of real property upon the request of the County Executive and after a public hearing

19 that has been duly advertised; and

20

21 **WHEREAS,** the County Council has received a request from the County Executive to waive

22 the bidding requirements in this instance for the sale of the Property; and

23

24 **WHEREAS**, when considering bids for the purchase of the Property, the County may

25 consider the relocation of existing businesses to (i) promote Route 1 revitalization goals and (ii)

26 conform to the County's current zoning requirements.

27

28 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,

29 Maryland, this _____ day of _____, 2014, that the portion of the Property that

30 is not required for the public road known as Dorsey Run Road and the related improvements,

31 including, storm water management is no longer needed by the County for public purposes.

1

2   **AND BE IT FURTHER RESOLVED** that, having received a request from the County

3   Executive and having held a public hearing, the County Council declares that the best interest of

4   the County will be served by authorizing the County Executive to waive the bidding

5   requirements of Section 4.201 of the Howard County Code for the sale of the Property so that the

6   County may consider the relocation of existing businesses to (i) promote Route 1 revitalization

7   goals and (ii) conform to the County's current zoning requirements.

8

9   **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land

10   may have a further public use and that the County Property should not be conveyed he is not

11   bound to convey the Property in accordance with this Resolution.

GENERAL NOTES

1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT PREPARED BY MAXIMUM TITLE DATED JUNE 26, 2009. ACCORDING TO THIS TITLE REPORT, THIS PARCEL IS SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. 92/476
2. 295/318
3. 122/600
4. 398/156
5. 398/150
6. 677/545
7. 1680/560

2. EXISTING FEATURES SHOWN HEREON WERE TAKEN FROM ACTUAL FIELD MEASUREMENTS DURING 2009 AND ADDITIONAL LOCATIONS DURING 2013. THE LAST DAY OF FIELD WORK WAS ON MAY 20, 2013.

3. PRIMARY CONTROL IS BASED ON THE FOLLOWING HOWARD COUNTY STATIONS:

43EA
43HB

ON-SITE CONTROL STATIONS:

221 REBAR W/CAP FOUND
NORTH   547,374.9440'
EAST   1,379,962.6000'
COMBINED SCALE FACTOR: 1.00003197

210 REBAR W/CAP FOUND
NORTH   547,614.0470'
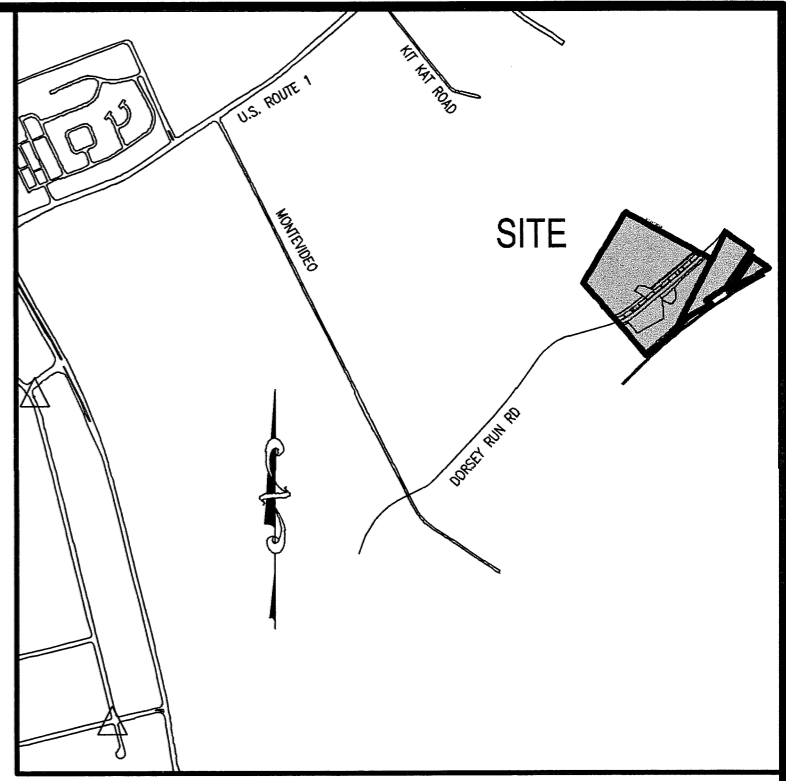EAST   1,380,056.4200'

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION DURING MAY 2013 AND WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYORS OF THE CODE OF MARYLAND REGULATIONS (09.13.06).

URS CORPORATION

MATTHEW A. TILMES
PROFESSIONAL LAND SURVEYOR No. 21156
LICENSE EXPIRATION 01/27/2015

LINE TABLE

LINE	BEARING	DISTANCE
L5	S 45°48'45" W	46.33'
L6	S 43°18'45" W	97.00'
L7	S 47°48'45" W	103.00'
L8	S 50°13'33" W	106.26'
L9	S 59°21'50" W	80.73'
L10	S 55°36'32" E	65.41'
L11	S 60°03'45" W	75.80'
L12	S 60°48'45" W	94.40'
L13	S 55°48'45" W	104.30'
L14	S 50°03'45" W	101.00'
L15	S 45°48'45" W	55.67'
L16	S 59°33'45" W	81.58'
L17	S 54°48'45" W	99.00'
L18	S 67°18'45" W	97.70'
L19	S 54°03'45" W	105.60'
L20	S 57°33'45" W	104.76'

AREA TABLE

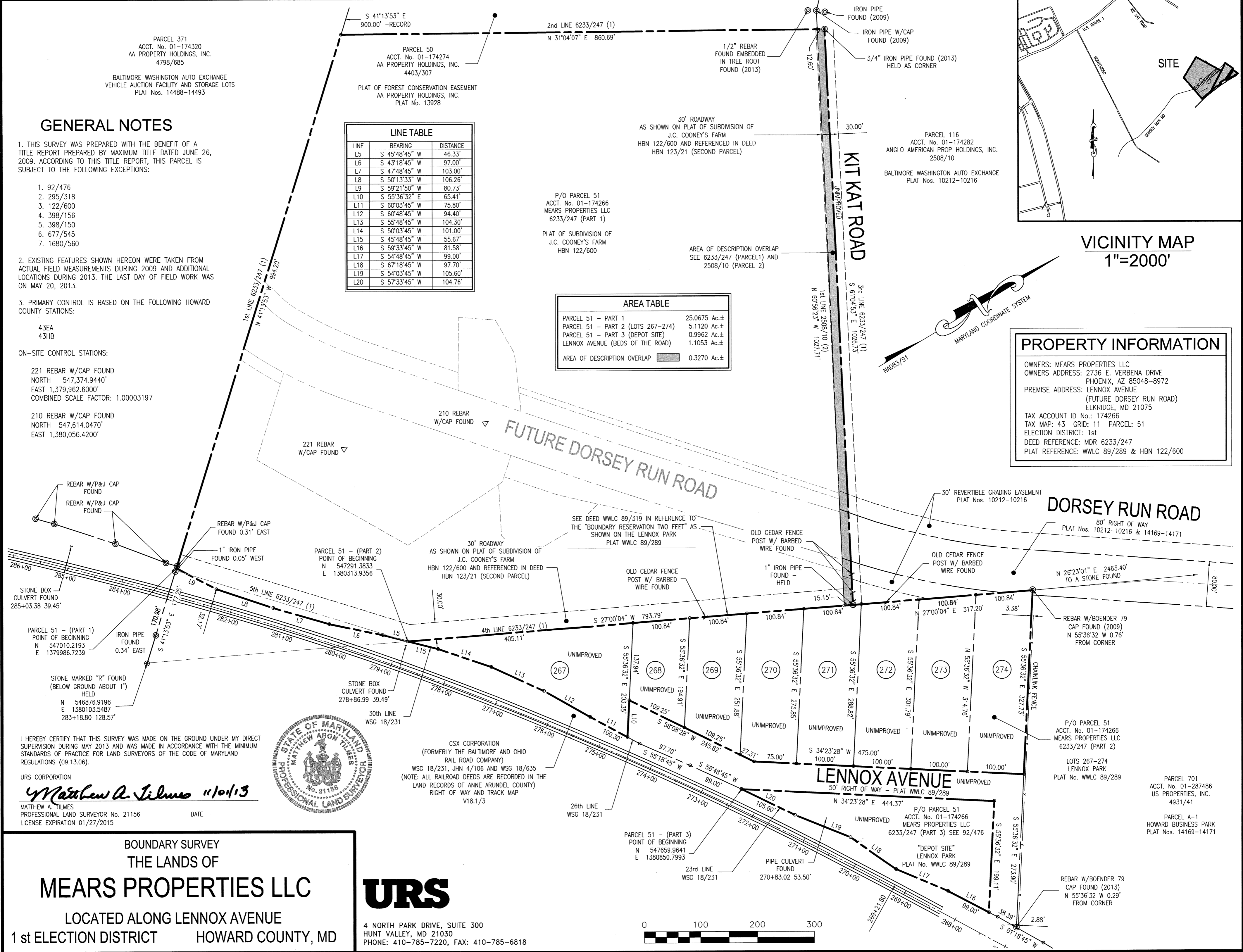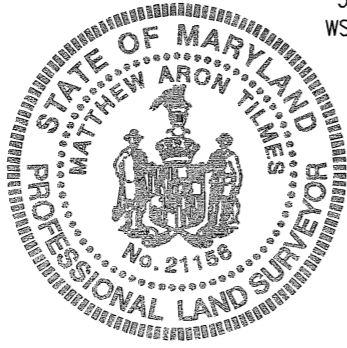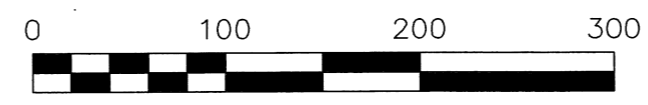|	
PARCEL 51 - PART 1	25.0675 Ac.±
PARCEL 51 - PART 2 (LOTS 267-274)	5.1120 Ac.±
PARCEL 51 - PART 3 (DEPOT SITE)	0.9962 Ac.±
LENNOX AVENUE (BEDS OF THE ROAD)	1.1053 Ac.±
AREA OF DESCRIPTION OVERLAP	0.3270 Ac.±

PROPERTY INFORMATION

OWNERS: MEARS PROPERTIES LLC
OWNERS ADDRESS: 2736 E. VERBENA DRIVE
PHOENIX, AZ 85048-8972
PREMISE ADDRESS: LENNOX AVENUE
(FUTURE DORSEY RUN ROAD)
ELKRIDGE, MD 21075
TAX ACCOUNT ID No.: 174266
TAX MAP: 43 GRID: 11 PARCEL: 51
ELECTION DISTRICT: 1st
DEED REFERENCE: MDR 6233/247
PLAT REFERENCE: WWLC 89/289 & HBN 122/600

VICINITY MAP
1"=2000'

SITE

MARYLAND COORDINATE SYSTEM

NAD83/91

BOUNDARY SURVEY

THE LANDS OF

MEARS PROPERTIES LLC

LOCATED ALONG LENNOX AVENUE

1 st ELECTION DISTRICT   HOWARD COUNTY, MD

URS

4 NORTH PARK DRIVE, SUITE 300
HUNT VALLEY, MD 21030
PHONE: 410-785-7220, FAX: 410-785-6818

0   100   200   300

Map labels and annotations

PARCEL 371
ACCT. No. 01-174320
AA PROPERTY HOLDINGS, INC.
4798/685
BALTIMORE WASHINGTON AUTO EXCHANGE VEHICLE AUCTION FACILITY AND STORAGE LOTS
PLAT Nos. 14488-14493

PARCEL 50
ACCT. No. 01-174274
AA PROPERTY HOLDINGS, INC.
4403/307
PLAT OF FOREST CONSERVATION EASEMENT AA PROPERTY HOLDINGS, INC.
PLAT No. 13928

P/O PARCEL 51
ACCT. No. 01-174266
MEARS PROPERTIES LLC
6233/247 (PART 1)
PLAT OF SUBDIVISION OF J.C. COONEY'S FARM
HBN 122/600

S 41°13'53" E
900.00' -RECORD

2nd LINE 6233/247 (1)
N 31°04'07" E 860.69'

IRON PIPE FOUND (2009)
IRON PIPE W/CAP FOUND (2009)
1/2" REBAR FOUND EMBEDDED IN TREE ROOT FOUND (2013)
3/4" IRON PIPE FOUND (2013) HELD AS CORNER

KIT KAT ROAD
UNIMPROVED

30' ROADWAY AS SHOWN ON PLAT OF SUBDIVISION OF J.C. COONEY'S FARM HBN 122/600 AND REFERENCED IN DEED HBN 123/21 (SECOND PARCEL)

PARCEL 116
ACCT. No. 01-174282
ANGLO AMERICAN PROP HOLDINGS, INC.
2508/10
BALTIMORE WASHINGTON AUTO EXCHANGE
PLAT Nos. 10212-10216

AREA OF DESCRIPTION OVERLAP
SEE 6233/247 (PARCEL1) AND 2508/10 (PARCEL 2)

1st LINE 2508/10 (2)
N 60°56'23" E 1027.71'

3rd LINE 6233/247 (1)
S 61°04'53" E 1026.73'

1st LINE 6233/247 (1)
N 41°13'53" W 984.20'

210 REBAR W/CAP FOUND

221 REBAR W/CAP FOUND

FUTURE DORSEY RUN ROAD

30' REVERTIBLE GRADING EASEMENT
PLAT No. 10212-10216

DORSEY RUN ROAD
80' RIGHT OF WAY
PLAT Nos. 10212-10216 & 14169-14171

REBAR W/P&J CAP FOUND
REBAR W/P&J CAP FOUND
REBAR W/P&J CAP FOUND 0.31' EAST
1" IRON PIPE FOUND 0.05' WEST

PARCEL 51 - (PART 2)
POINT OF BEGINNING
N 547291.3833
E 1380313.9356

5th LINE 6233/247 (1)

30' ROADWAY AS SHOWN ON PLAT OF SUBDIVISION OF J.C. COONEY'S FARM HBN 122/600 AND REFERENCED IN DEED HBN 123/21 (SECOND PARCEL)

SEE DEED WWLC 89/319 IN REFERENCE TO THE "BOUNDARY RESERVATION TWO FEET" AS SHOWN ON THE LENNOX PARK PLAT WWLC 89/289

OLD CEDAR FENCE POST W/ BARBED WIRE FOUND
OLD CEDAR FENCE POST W/ BARBED WIRE FOUND
OLD CEDAR FENCE POST W/ BARBED WIRE FOUND
1" IRON PIPE FOUND - HELD

N 26°23'01" E 2463.40'
TO A STONE FOUND

REBAR W/BOENDER 79 CAP FOUND (2009)
N 55°36'32" W 0.76'
FROM CORNER

STONE BOX CULVERT FOUND
285+03.38 39.45'

PARCEL 51 - (PART 1)
POINT OF BEGINNING
N 547010.2193
E 1379986.7239

IRON PIPE FOUND 0.34' EAST

STONE MARKED "R" FOUND (BELOW GROUND ABOUT 1') HELD
N 546876.9196
E 1380103.5487
283+18.80 128.57'

4th LINE 6233/247 (1)
S 27°00'04" W 793.79'
405.11'

S 27°00'04" E 317.20'

STONE BOX CULVERT FOUND
278+86.99 39.49'

30th LINE WSG 18/231

26th LINE WSG 18/231
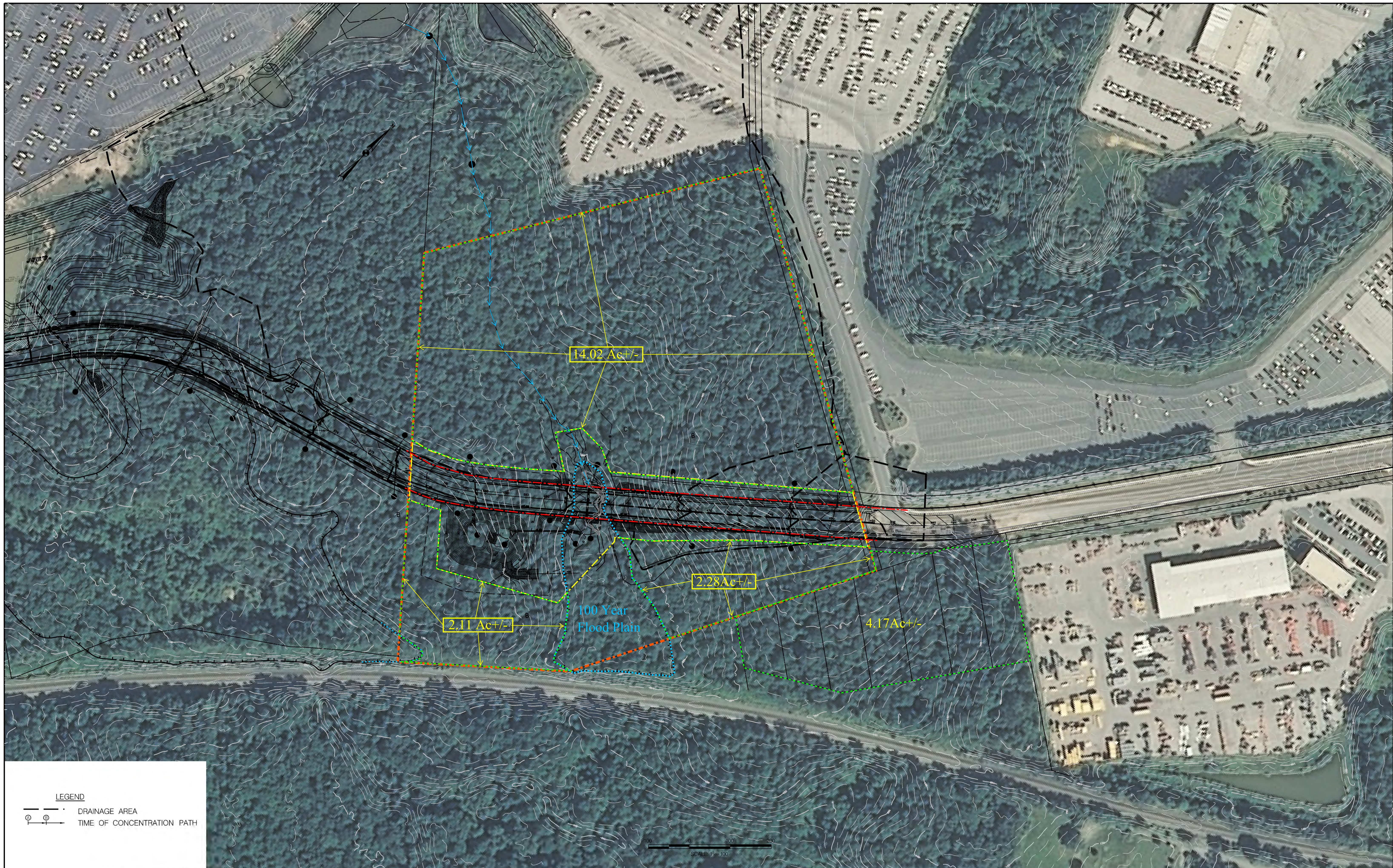
23rd LINE WSG 18/231

CSX CORPORATION (FORMERLY THE BALTIMORE AND OHIO RAIL ROAD COMPANY)
WSG 18/231, JHN 4/106 and WSG 18/635
(NOTE: ALL RAILROAD DEEDS ARE RECORDED IN THE LAND RECORDS OF ANNE ARUNDEL COUNTY)
RIGHT-OF-WAY AND TRACK MAP
V18.1/3

PIPE CULVERT FOUND
270+83.02 53.50'

PARCEL 51 - (PART 3)
POINT OF BEGINNING
N 547659.9641
E 1380850.7993

"DEPOT SITE"
LENNOX PARK
PLAT No. WWLC 89/289

LENNOX AVENUE
50' RIGHT OF WAY - PLAT WWLC 89/289

N 34°23'28" E 444.37'

P/O PARCEL 51
ACCT. No. 01-174266
MEARS PROPERTIES LLC
6233/247 (PART 2)
LOTS 267-274
LENNOX PARK
PLAT No. WWLC 89/289

P/O PARCEL 51
ACCT. No. 01-174266
MEARS PROPERTIES LLC
6233/247 (PART 3) SEE 92/476

CHINUUK FENCE

REBAR W/BOENDER 79 CAP FOUND (2013)
N 55°36'32" W 0.29'
FROM CORNER

PARCEL 701
ACCT. No. 01-287486
US PROPERTIES, INC.
4931/41

PARCEL A-1
HOWARD BUSINESS PARK
PLAT Nos. 14169-14171

Lots: 267, 268, 269, 270, 271, 272, 273, 274 (UNIMPROVED)

STATE OF MARYLAND
MATTHEW AARON TILMES
No. 21156
PROFESSIONAL LAND SURVEYOR

14.02 Ac+/-

2.28Ac+/-

2.11 Ac+/-

100 Year
Flood Plain

4.17Ac+/-

LEGEND

DRAINAGE AREA

TIME OF CONCENTRATION PATH

SCALE 1" = 100'

DES: CMS			
DRN: CDF			
CHK: DTM			
DATE: 02/2013	BY	NO.	REVISION	DATE

PARCEL 51 DISPLAY

SCALE MAP NO. _____ BLOCK NO. ___

DORSEY RUN ROAD EXTENSION
MONTEVIDEO ROAD TO
STATION 594+85.00

ELECTION DISTRICT NO. 1 - JESSUP, MARYLAND

CAPITAL PROJECT J-4148-B

SCALE

SHEET
__ OF 141

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