

County Council Of Howard County, Maryland

2019 Legislative Session

Legislative Day No. 9

Resolution No. 110-2019

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

A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of land containing 0.031 acres owned by Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to convey the property to the adjacent property owner, the State of Maryland; 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 convey the property if he finds that the land may have a further public use.

Introduced and read first time _____, 2019.

By order _____
Jessica Feldmark, Administrator

Read for a second time at a public hearing on _____, 2019.

By order _____
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2019.

Certified By _____
Jessica Feldmark, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL 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 owner of 0.031 acres of land, as shown in the attached
2 Exhibit and as described in the State Highway Administration Plat numbered 60604 by the deed
3 dated August 27, 1990 and recorded on October 9, 1990 among the Land Records of Howard
4 County, Maryland (the “Land Records”) in Liber 2239, folio 65 (the “Property”); and
5

6 **WHEREAS**, the State of Maryland, Department of Transportation, State Highway
7 Administration (“SHA”) owns the adjacent land and SHA needs to acquire the Property along
8 U.S. Route 1 in front of the Elkridge Library and 50 plus Center; and
9

10 **WHEREAS**, the County has determined that the Property as shown in the attached
11 Exhibit is no longer needed by the County for public purposes; and
12

13 **WHEREAS**, Section 4.201 “Disposition of real property” of the Howard County Code
14 authorizes the County Council to declare that the Property is no longer needed for public
15 purposes and also authorizes the County Council to waive advertising and bidding requirements
16 for an individual conveyance of real property upon the request of the County Executive; and
17

18 **WHEREAS**, the County Council has received a request from the County Executive to
19 waive the advertising and bidding requirements in this instance for the conveyance of the
20 Property to (“SHA”).
21

22 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
23 Maryland, this ____ day of _____, 2019, that the Property as shown in the attached
24 Exhibit and containing 0.031 acres is no longer needed by the County for public purposes and
25 may be conveyed to SHA.
26

27 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
28 Executive and having held a public hearing, the County Council declares that the best interest of
29 the County will be served by authorizing the County Executive to waive the usual advertising
30 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
31 the Property to SHA.

1

2

AND BE IT FURTHER RESOLVED that if the County Executive finds that all or a

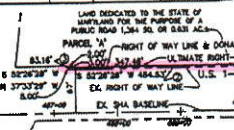
3

portion of the Property may have a further County public use and that the Property should not be

4

conveyed, he is not bound to convey the Property in accordance with this Resolution.

PROPERTY CURVE TABLE						
CURVE	RADIUS	DELTA	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	633.00'	25.00°00'	277.85'	141.20'	273.67'	S 34°10'00" E



LEGEND

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RIGHT-OF-WAY DETAIL
SCALE 1" = 100'

LAND DEDICATED TO THE STATE OF MARYLAND FOR THE PURPOSE OF A PUBLIC ROAD		
LINE	BEARING	LENGTH
1	S 32°28'28" E	3.507'
2	S 82°28'28" W	564.57'
3	N 82°28'28" E	3.507'
4	N 52°28'28" E	554.57'

I HEREBY CERTIFY THAT THE REQUIREMENTS OF SECTION 20-108 THE REAL PROPERTY ARTICLE ANNOTATED CODE OF MARYLAND, 1988 REPLACEMENT VOLUME, (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAPS OF THIS PLAT AND THE SETTING OF MONUMENTS HAVE BEEN COMPLIED WITH. THIS SURVEY WAS PREPARED BY ME PERSONALLY, OR UNDER MY RESPONSIBLE CHARGE, AND THE SURVEY WORK INDICATED IN IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 20-108 OF THE ANNOTATED CODE OF MARYLAND.

James R. Hyl JAMES R. HYL, SURVEYOR
DEPARTMENT OF PUBLIC WORKS
1100 EAST WASHINGTON BLVD., SUITE 200
COLUMBIA, MD 21046
DATE: 7/16/16

TOTAL TABULATION THIS SUBMISSION	TOTALS
TOTAL NUMBER OF LOTS/PARCELS TO BE RECORDED	1
RECORDABLE LOTS/PARCELS	1
NON-RECORDABLE LOTS/PARCELS	0
OPEN SPACE	0
TOTAL AREA OF LOTS/PARCELS TO BE RECORDED	6,240.00 AC.
RECORDABLE LOTS/PARCELS	1
NON-RECORDABLE LOTS/PARCELS	0
OPEN SPACE	0
PRESERVATION PARCELS	0
TOTAL AREA OF ROAD RIGHT-OF-WAY TO BE RECORDED	0.55920 AC.
INCLUDING SIDEWALK STRIPS	0.55920 AC.
TOTAL GROSS AREA OF SUBMISSION TO BE RECORDED	6,240.55920 AC.

8818 Centre Park Drive, Suite 200
Columbia, Maryland 21045
(301) 410-987-8900 (F) 410-987-6282

OWNER
HOWARD COUNTY MARYLAND
DEPT. OF PUBLIC WORKS
C/O MARK STROHMING
3200 COURT HOUSE DR.
ELLSWORTH CITY, MD 21043-3300
TEL: 410.363.2200

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS ALL THE LANDS CONVEYED BY BOARDMAN PETROLEUM, INC. TO HOWARD COUNTY MARYLAND, BY DEED DATED AUGUST 27, 1990 AND ALL THE LANDS CONVEYED BY HOWARD COUNTY MARYLAND TO BOARDMAN PETROLEUM, INC. BY DEED DATED APRIL 4, 1991 AND ALL THE LANDS CONVEYED BY HOWARD COUNTY MARYLAND TO HOWARD COUNTY MARYLAND BY DEED DATED JUNE 29, 2014 AND ALL THE LANDS CONVEYED BY HOWARD COUNTY MARYLAND TO HOWARD COUNTY MARYLAND BY DEED DATED JUNE 29, 2014 AND ALL THE MONUMENTS ARE IN PLACE OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE SUBDIVISION BY HOWARD COUNTY AS SHOWN IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED. I CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 1612453, EXPIRATION DATE DECEMBER 31, 2017.

James R. Hyl JAMES R. HYL, SURVEYOR
DEPARTMENT OF PUBLIC WORKS
1100 EAST WASHINGTON BLVD., SUITE 200
COLUMBIA, MD 21046
DATE: 7-16-16



OWNER'S CERTIFICATE

WE, HOWARD COUNTY, MARYLAND, A BODY CORPORATE AND POLITICAL, BY JAMES R. HYL, DIRECTOR, DEPARTMENT OF PUBLIC WORKS, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION AND, IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTIONS AND GRANT INTO HOWARD COUNTY, MARYLAND ITS SUCCESSORS AND ASSIGNS: (1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, DRAINAGE, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND SERVICES; (2) THE RIGHT TO ACQUIRE THE RIGHT-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; (3) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE, THE BEDS OF THE STREETS AND FOR ROADS AND FLOODPLAINS AND OPEN SPACE WHERE APPLICABLE; AND FOR 2000' AND OTHER VALUABLE CONSIDERATION, HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS AND/OR FLOODPLAINS, STORM DRAINAGE FACILITIES, AND OPEN SPACE WHERE APPLICABLE; (4) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE; AND (5) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON OR OVER THE SAID EASEMENTS AND RIGHTS-OF-WAY.

WITNESSED BY OUR HANDS THIS 21 DAY OF July, 2016.
James R. Hyl JAMES R. HYL, DIRECTOR
DEPARTMENT OF PUBLIC WORKS
DATE: 7-21-16

RECORDED AS PLAT No. _____
ON _____ AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

HCLS ELKRIDGE BRANCH & 50 PLUS CENTER PARCEL 'A'

DP2 FILE NO.: 2016-10-042
1ST ELECTION DISTRICT HOWARD COUNTY, MARYLAND
TICK MAP NO. 26 CHD NO. 13
PARCELS P/O NO. 87 & 476 ZONED: B-1 & R-12
SCALE: 1" = 50' DATE: 08.29.16 SHEET: 2 OF 2

DONATION PLAT

**STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
STATE ROADS COMMISSION**

RIGHT OF WAY PROJECT: US 1 (WASHINGTON BOULEVARD)
BALTIMORE COUNTY LINE TO THE PRINCE GEORGE'S COUNTY LINE
FEDERAL AID PROJECT NO. RR 001-000-713
ISSUED October 12, 2016
SCALE: NOT TO SCALE
PLAT No. 60604

LEGEND	BOOKS	REVISED	PART OF PLATS
REVISIONAL EASEMENT FOR IMPROVING BLOOD			49368
STORMWATER COLLECTION EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTES ON THE PLAT			
REVISIONAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON THIS PLAT			
REVISIONAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT			
REVISIONAL EASEMENT TO DISCHARGE FLOW OR WATER FROM OR INTO AN EXISTING WATERWAY OR NATURAL DRAINAGE COURSE			
REVISIONAL EASEMENT TO DISCHARGE FLOW OF WATER UNDER EXISTING OVERHEAD			

APPROVED BY STATE POLICE COMMANDER CHAIRMAN

LOCATED IN: HOWARD COUNTY
PREPARED BY: PENNONI
ADDRESS: 8818 CENTRE PARK DR SUITE 200 COLUMBIA, MD 21046
CONSTRUCTION PROJECT: HCLS ELKRIDGE BRANCH & 50 PLUS CENTER PARCEL 'A'
CONSTRUCTION PROJECT NO.

HOWARD COUNTY CIRCUIT COURT (PH) Book 4141 Page 2016-2017, MEA, C1125, 5731. Date available: 2016/09/20. Printed: 09/20/2016.