

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 July 1, 2019.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Read for a second time at a public hearing on July 15, 2019.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on July 29, 2019.

Certified By Jessica Feldmark
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

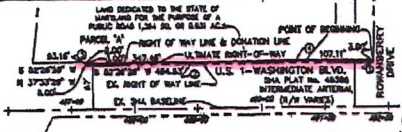
17
18 **WHEREAS**, the County Council has received a request from the County Executive to
19 waive the advertising and bidding requirements in this instance for the conveyance of the
20 Property to (“SHA”).

21
22 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
23 Maryland, this 29th day of July, 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.

CURVE	RADIUS	DELTA	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	633.07	28°09'24"	277.86	141.59	273.67	S 24°27'09" E



LEGEND

- DAE IN CONCRETE MONUMENT SET
- STIPPLE DRAINAGE
- 4" @ 18" PFC POUND
- 6" @ 18" PFC POUND
- 8" @ 18" PFC POUND
- 10" @ 18" PFC POUND
- 12" @ 18" PFC POUND
- 14" @ 18" PFC POUND
- 16" @ 18" PFC POUND
- 18" @ 18" PFC POUND
- 20" @ 18" PFC POUND
- 22" @ 18" PFC POUND
- 24" @ 18" PFC POUND
- 26" @ 18" PFC POUND
- 28" @ 18" PFC POUND
- 30" @ 18" PFC POUND
- 32" @ 18" PFC POUND
- 34" @ 18" PFC POUND
- 36" @ 18" PFC POUND
- 38" @ 18" PFC POUND
- 40" @ 18" PFC POUND
- 42" @ 18" PFC POUND
- 44" @ 18" PFC POUND
- 46" @ 18" PFC POUND
- 48" @ 18" PFC POUND
- 50" @ 18" PFC POUND
- 52" @ 18" PFC POUND
- 54" @ 18" PFC POUND
- 56" @ 18" PFC POUND
- 58" @ 18" PFC POUND
- 60" @ 18" PFC POUND
- 62" @ 18" PFC POUND
- 64" @ 18" PFC POUND
- 66" @ 18" PFC POUND
- 68" @ 18" PFC POUND
- 70" @ 18" PFC POUND
- 72" @ 18" PFC POUND
- 74" @ 18" PFC POUND
- 76" @ 18" PFC POUND
- 78" @ 18" PFC POUND
- 80" @ 18" PFC POUND
- 82" @ 18" PFC POUND
- 84" @ 18" PFC POUND
- 86" @ 18" PFC POUND
- 88" @ 18" PFC POUND
- 90" @ 18" PFC POUND
- 92" @ 18" PFC POUND
- 94" @ 18" PFC POUND
- 96" @ 18" PFC POUND
- 98" @ 18" PFC POUND
- 100" @ 18" PFC POUND

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

LINE	BEARING	LENGTH
1	S 87°32'58" W	554.87
2	N 87°32'58" W	554.87
3	N 87°32'58" W	554.87
4	S 87°32'58" W	554.87

I, JAMES WYNN, DIRECTOR, DEPARTMENT OF PUBLIC WORKS, DO HEREBY CERTIFY THAT THE REPRESENTATIONS OF SECTION 3-103 OF THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1988 REPLACEMENT VOLUME, (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MATTER OF THIS PLAT AND THE SETTING OF MONUMENTS HAVE BEEN COMPALED WITH THE SURVEY LAW PREPARED BY ME OR PERSONS ON ORDER BY RESPONSIBLE CHARGE, AND THE SURVEY NOW RECORDED IS IN FULL COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN SECTION 3-103 OF THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND.

J. Wynn DATE: 7/10/16
J. Wynn DATE: 7/10/16
 JAMES WYNN, DIRECTOR
 DEPARTMENT OF PUBLIC WORKS
 8018 CENTER PARK DRIVE, SUITE 200
 COLUMBIA, MARYLAND 21046
 (410) 497-4800 (F) 410-967-9282

TOTAL TABULATION THIS SUBDIVISION	TOTALS
TOTAL NUMBER OF LOTS/PARCELS TO BE RECORDED	1
BUILDABLE LOTS/PARCELS	0
NON-BUILDABLE LOTS/PARCELS	0
OPEN SPACE	0.0000 AC.
TOTAL AREA OF LOTS/PARCELS TO BE RECORDED	0.0000 AC.
BUILDABLE LOTS/PARCELS	0.0000 AC.
NON-BUILDABLE LOTS/PARCELS	0.0000 AC.
OPEN SPACE	0.0000 AC.
TOTAL AREA OF ROAD RIGHT-OF-WAY TO BE RECORDED	0.0000 AC.
INCLUDING BROWNS STOPPS	0.0000 AC.
TOTAL GROSS AREA OF SUBDIVISION TO BE RECORDED	0.0000 AC.

Pennoni
 8018 Center Park Drive, Suite 200
 Columbia, Maryland 21046
 (410) 497-4800 (F) 410-967-9282

OWNER
 HOWARD COUNTY MARYLAND
 DEPT. OF PUBLIC WORKS
 C/O JAMES WYNN
 8018 CENTER PARK DRIVE
 COLUMBIA, MD 21046-2000
 TEL: 410.352.2200

SURVEYOR'S CERTIFICATE

I, HERBERT G. WYNN, SURVEYOR, DO HEREBY CERTIFY THAT THE FINAL PLAT SHOWS CORRECTLY THAT IT IS ALL THE LANDS COVERED BY BROADMAN PETROLEUM, INC. TO HOWARD COUNTY MARYLAND, BY DEED DATED AUGUST 27, 1990 AND ALL THE LANDS COVERED BY HOWARD COUNTY MARYLAND IN LINES 2238 AT FOLIO 84, AND RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND BY DEED DATED APRIL 6, 1991 AND ALL THE LANDS COVERED BY HOWARD COUNTY MARYLAND BY DEED DATED APRIL 6, 1991 AND RECORDED IN THE ADDRESS LAND RECORDS IN LINE 2318 AT FOLIO 106, AND ALL THE LANDS COVERED BY HOWARD COUNTY MARYLAND BY DEED DATED JUNE 30, 2011 AND RECORDED IN THE ADDRESS LAND RECORDS IN LINE 1479 AT FOLIO 473. AND THAT ALL MONUMENTS ARE IN PLACE OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS AND/OR SUBDIVISION BY HOWARD COUNTY AS SHOWN IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED. I CERTIFY THAT THESE OCCURRENCES 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 NUMBER 21, EXPIRATION DATE DECEMBER 29, 2027.

Herbert G. Wynn DATE: 7-10-16
 HERBERT G. WYNN
 PROFESSIONAL LAND SURVEYOR
 MD REGISTRATION NO. 21543



OWNER'S CERTIFICATE

WE, HOWARD COUNTY, MARYLAND, A BODY CORPORATE AND POLITICAL ENTITY, BY JAMES WYNN, DIRECTOR, DEPARTMENT OF PUBLIC WORKS, CHIEF OF THE PROPERTY SHOWING 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 MARRIAGE BUILDING RESTRICTION LINES AND GRANT UNITS HOWARD COUNTY, MARYLAND ITS SUCCESSIONS AND ASSIGNS: (1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN STREET RIGHTS-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; (2) THE RIGHT TO REQUIRE, DESIGN, CONSTRUCT, WATER PIPES AND OTHER MEMORIAL UTILITIES AND SERVICES; AND UNDER ALL ROADS AND DECISIONS FOR PUBLIC USE THE BEDS OF THE STREETS AND/OR ROADS AND FLOODPLAINS AND OPEN SPACE WERE APPLICABLE; AND FOR DESIGN 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 ROADS AND FLOODPLAINS, STORM DRAINAGE FACILITIES AND OPEN SPACE WERE APPLICABLE; (3) THE RIGHT TO REQUIRE CONSTRUCTION OF UTILITIES AND EASEMENT AREAS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE; AND (4) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND BE RECORDED OR PLACED ON OR OVER THE SAID EASEMENTS AND RIGHTS-OF-WAY.

J. Wynn DATE: 7-10-16
 JAMES WYNN, DIRECTOR
 DEPARTMENT OF PUBLIC WORKS

RECORDED AS PLAT No. _____

ON _____ AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

HCLS ELKRIDGE BRANCH & 50 PLUS CENTER PARCEL 'A'

DPE FILE NO. 100-10-042
 1ST ELECTION DISTRICT HOWARD COUNTY, MARYLAND
 TAB MAP NO. 20 CHD 104.13
 PARCELS P70 IN P7 & 470 ZONED B-1 & B-1S
 SCALE: 1" = 50' DATE: 06/29/16 SHEET 2 OF 2

MSA C945-5737-2 F-16-080

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
 RR 001-000-713

RIGHT OF WAY PROJECT NO. _____
 FEDERAL AID PROJECT NO. _____
 ISSUED ON: 7/10/16
 SCALE: _____ NOT TO SCALE

PLAT No. 60604

LEGEND

- [Symbol] REVERSIBLE EASEMENT FOR SUPPORTING BODIES
- [Symbol] TEMPORARY CONSTRUCTION EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT
- [Symbol] TEMPORARY EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON THIS PLAT
- [Symbol] TEMPORARY EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT
- [Symbol] PERMANENT EASEMENT TO INCREASE ADOB OF WATER FLOW OR OPEN AN EXISTING WATERWAY OR DRAINAGE COURSE
- [Symbol] PERMANENT EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING OPEN SPACE

BOOKS: _____ REVISIONS: _____ PART OF PLATS: _____

LOCATED IN: _____ COUNTY: _____

PREPARED BY: PENNONI

ADDRESS: 8018 CENTER PARK DR SUITE 200 COLUMBIA MD 21046

CONSTRUCTION PROJECT: HCLS ELKRIDGE BRANCH & 50 PLUS CENTER PARCEL 'A'

CONSTRUCTION PROJECT NO. _____

APPROVED BY: _____ DATE: _____

APPROVED BY: _____ DATE: _____

STAFF: _____