

County Council of Howard County, Maryland

2019 Legislative Session

Legislative Day No. 13

Resolution No. 144 -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 portions of parcels of land owned by Howard County totaling approximately 2.63 acres are no longer needed by the County for public purposes; authorizing the County Executive to convey fee simple title to such portions of the parcels to the adjacent property owner, the State of Maryland as part of the widening of Maryland Route 32 from Linden Church Road to Interstate-70; 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 such property if he finds that the land may have a further public use.

Introduced and read first time November 4, 2019.
By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on November 18, 2019.
By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted X, Adopted with amendments __, Failed __, Withdrawn __, by the County Council on December 2, 2019.
Certified By Diane Schwartz Jones
Diane Schwartz Jones, 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 the following parcels of land (collectively the
2 “Property to be Conveyed”:

3 1. Approximately 0.145 acres of land located at the West Friendship Shopping
4 Center Road shown on State of Maryland Department of Transportation State Highway
5 Administration State Roads Commission (“SHA”) Plat No. 60937, attached hereto as Exhibit A,
6 being a part of the approximately 0.65 acres of land described in the deed recorded among the
7 Land Records of Howard County (the “Land Records”) at Liber 01862, Folio 00748;

8 2. Approximately 0.193 acres of land located at Vista View Drive, West Friendship,
9 shown on SHA Plat No, 60938, attached hereto as Exhibit B, being a part of the approximately
10 1.557 acres described in the deed recorded among the Land Records at Liber 10446, Folio
11 00208; and

12 3. A total of approximately 2.297 acres of land and the release of the Forest
13 Conservation Easement thereon, Parcel 1 being approximately 1.952 acres and Parcel 2 being
14 approximately .345 acres, as shown on SHA Plat No. 60757, attached hereto as Exhibit C, being
15 portions of two parcels - one parcel is 6.110 acres and one parcel is approximately 1.585 acres,
16 both of which are described in the deed recorded among the Land Records at Liber 6872, Folio
17 284; and

18
19 **WHEREAS**, the State of Maryland owns the adjacent land and the State Highway
20 Administration of the Department of Transportation needs to acquire the Property to be
21 Conveyed in order to complete the widening of Maryland Route 32 from Interstate 70 to Linden
22 Church Road; and

23
24 **WHEREAS**, the County has determined that the Property to be Conveyed as shown in
25 the attached Exhibits A, B, and C is no longer needed by the County for public purposes upon
26 payment of the appraised value and the fee in lieu by the State of Maryland as set forth below:

27 1. For the approximately 0.145 acres of land located at the West Friendship
28 Shopping Center Road, shown in Exhibit A, the acquisition cost to be paid by the State of
29 Maryland to acquire is \$45,850.00;

1 2. For the approximately 0.193 acres of land located at Vista View Drive, West
2 Friendship, as shown in the attached Exhibit B, the acquisition cost to be paid by the State of
3 Maryland is \$47,300.00; and

4 3. As shown in the attached Exhibit C, for the approximately 2.297 acres of land that
5 that are part of the Fox Chase Estates, as shown in the attached Exhibit C, the acquisition cost to
6 be paid by the State of Maryland is \$103,365,000 and a fee in lieu for the release of the Forest
7 Conservation Easement thereon; and

8
9 **WHEREAS**, Section 4.201 “Disposition of real property” of the Howard County Code
10 authorizes the County Council to declare that Property is no longer needed for public purposes
11 and may be disposed of by Resolution; and

12
13 **WHEREAS**, the County Council has received a request from the County Executive to
14 waive the advertising and bidding requirements in this instance for the conveyance to the State of
15 Maryland, the adjacent land owners.

16
17 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
18 Maryland, this 2nd day of December, 2019, that the Property to be Conveyed as
19 shown in the attached Exhibits A, B and C and containing approximately 2.63 acres is no longer
20 needed by the County for public purposes.

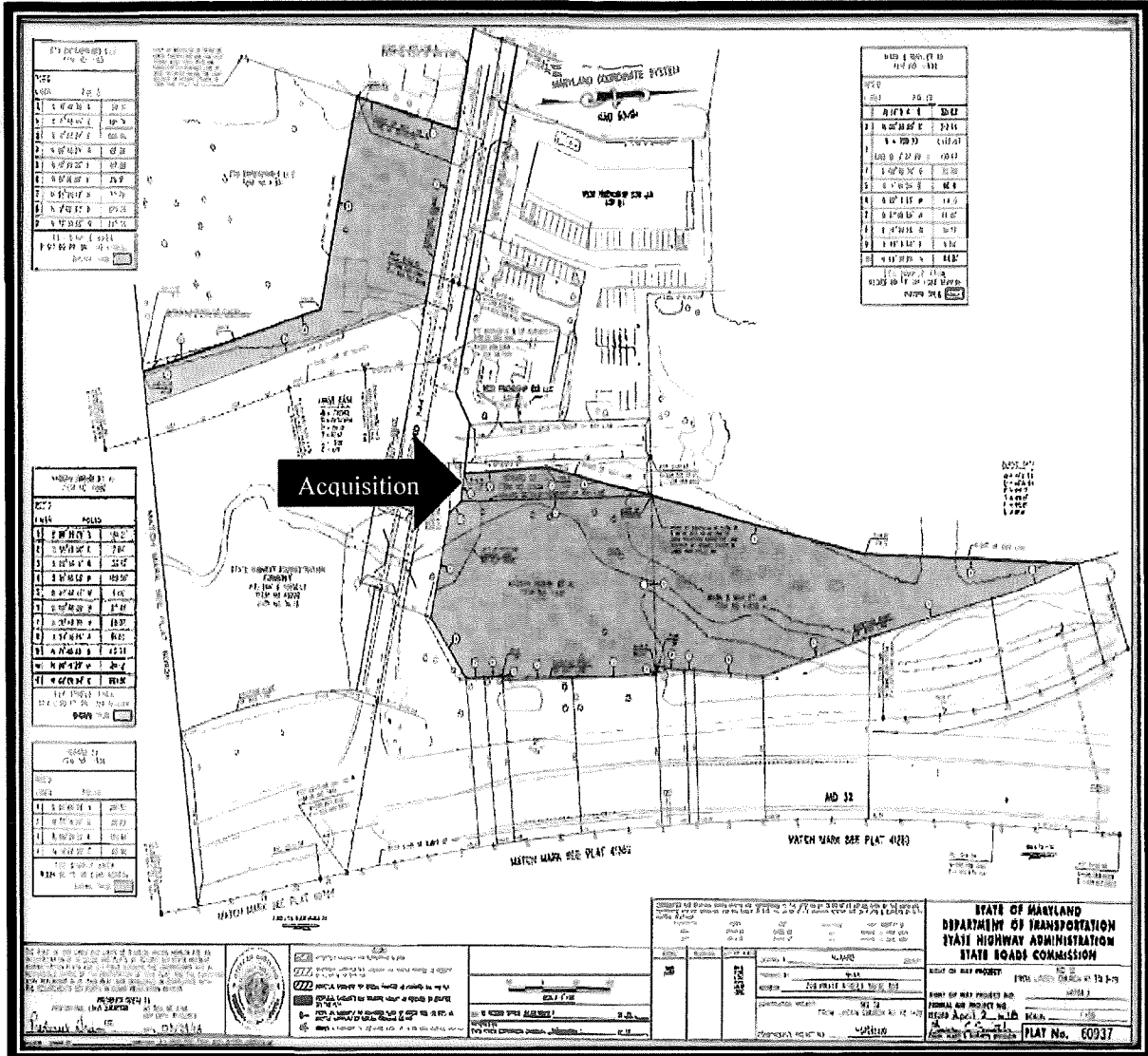
21
22 **AND BE IT FURTHER RESOLVED**, that County Executive may execute a deed
23 granting the Property to be Conveyed to the State of Maryland.

24
25 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
26 Executive and having held a public hearing, the County Council declares that the best interest of
27 the County will be served by authorizing the County Executive to waive the usual advertising
28 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
29 the property interest.

1 **AND BE IT FURTHER RESOLVED** that if the County Executive finds that all or a
2 portion of the Property to be Conveyed may have a further County public use and that the
3 County's property interest therein should not be conveyed, he is not bound to convey the
4 County's property interest in accordance with this Resolution.

PLATS:

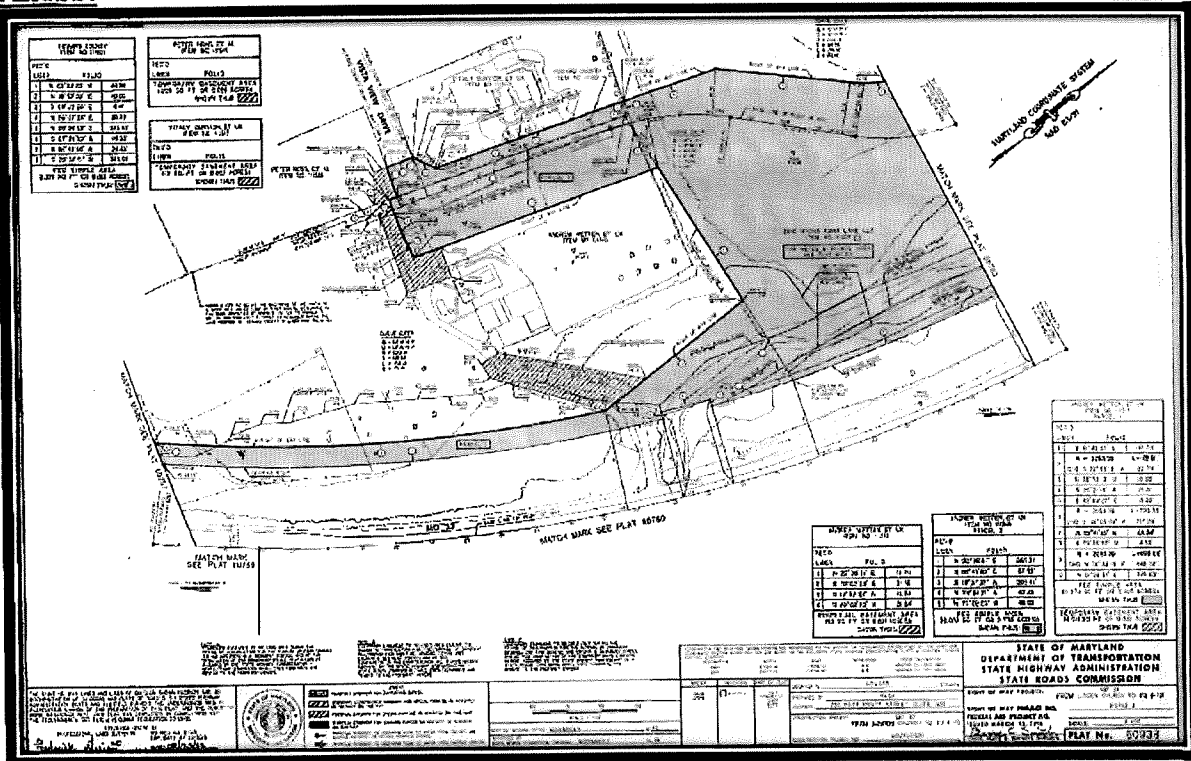
EXHIBIT A



MARYLAND STATE HIGHWAY ADMINISTRATION

EXHIBIT B

PLATS:



MARYLAND STATE HIGHWAY ADMINISTRATION

PLATS:

EXHIBIT C

