

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 A. Jones
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on November 18, 2019.

By order Diane A. 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This Resolution was read the third time and was Adopted X, Adopted with amendments __, Failed __, Withdrawn __, by the County Council on December 2, 2019.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 A. 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.

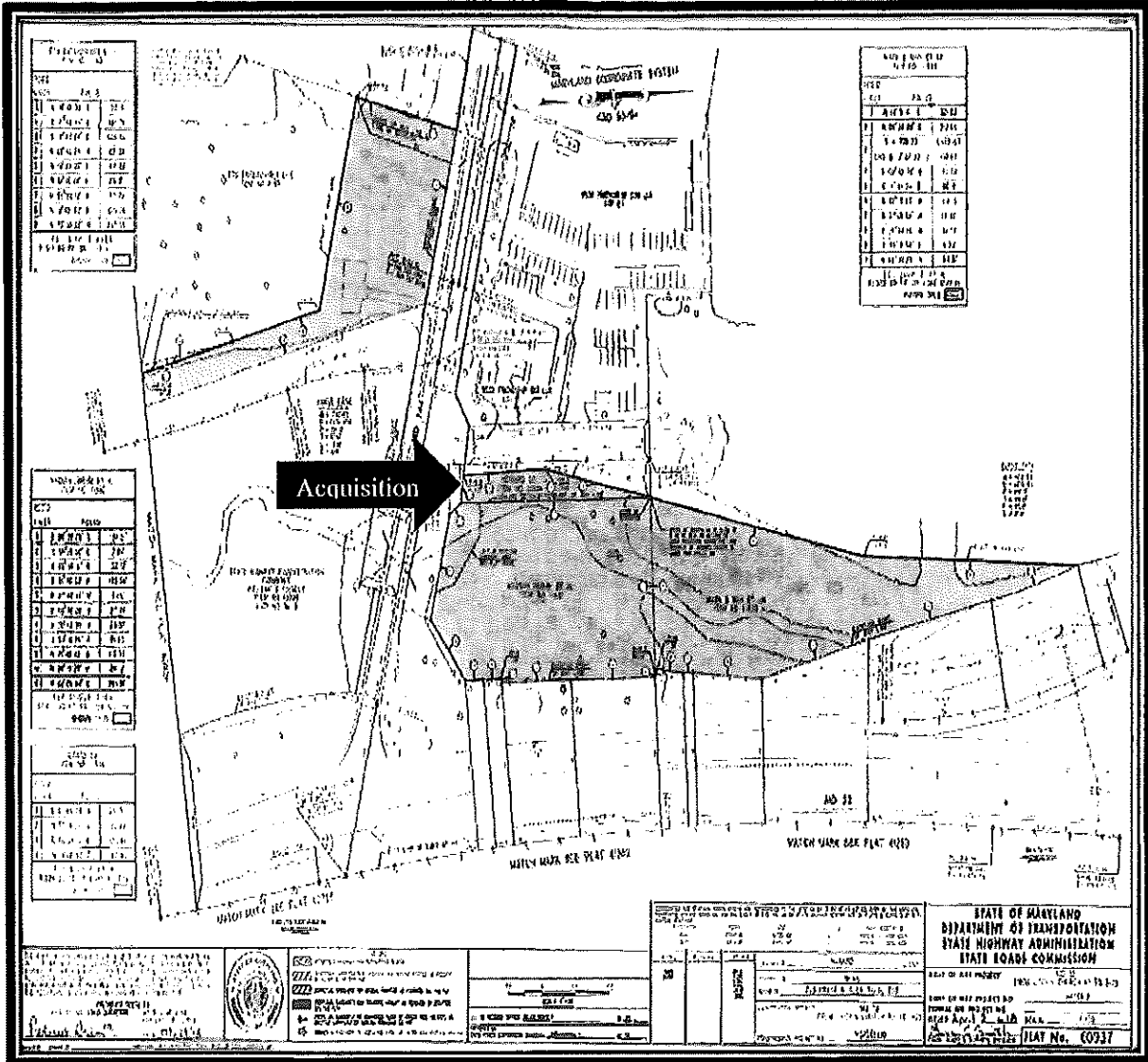
24
25 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
26 Executive and having held a public hearing, the County Council declares that the best interest of
27 the County will be served by authorizing the County Executive to waive the usual advertising
28 and bidding requirements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

MARYLAND STATE HIGHWAY ADMINISTRATION

PLATS:

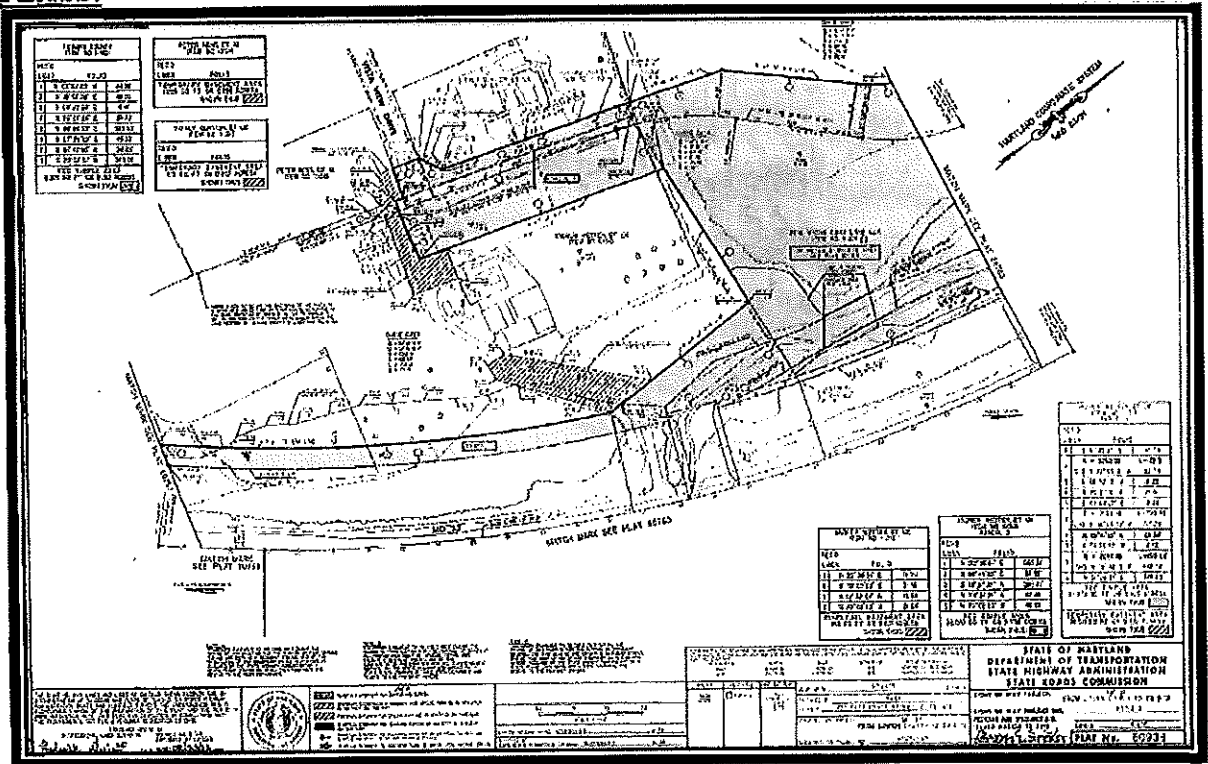
EXHIBIT A



MARYLAND STATE HIGHWAY ADMINISTRATION

EXHIBIT B

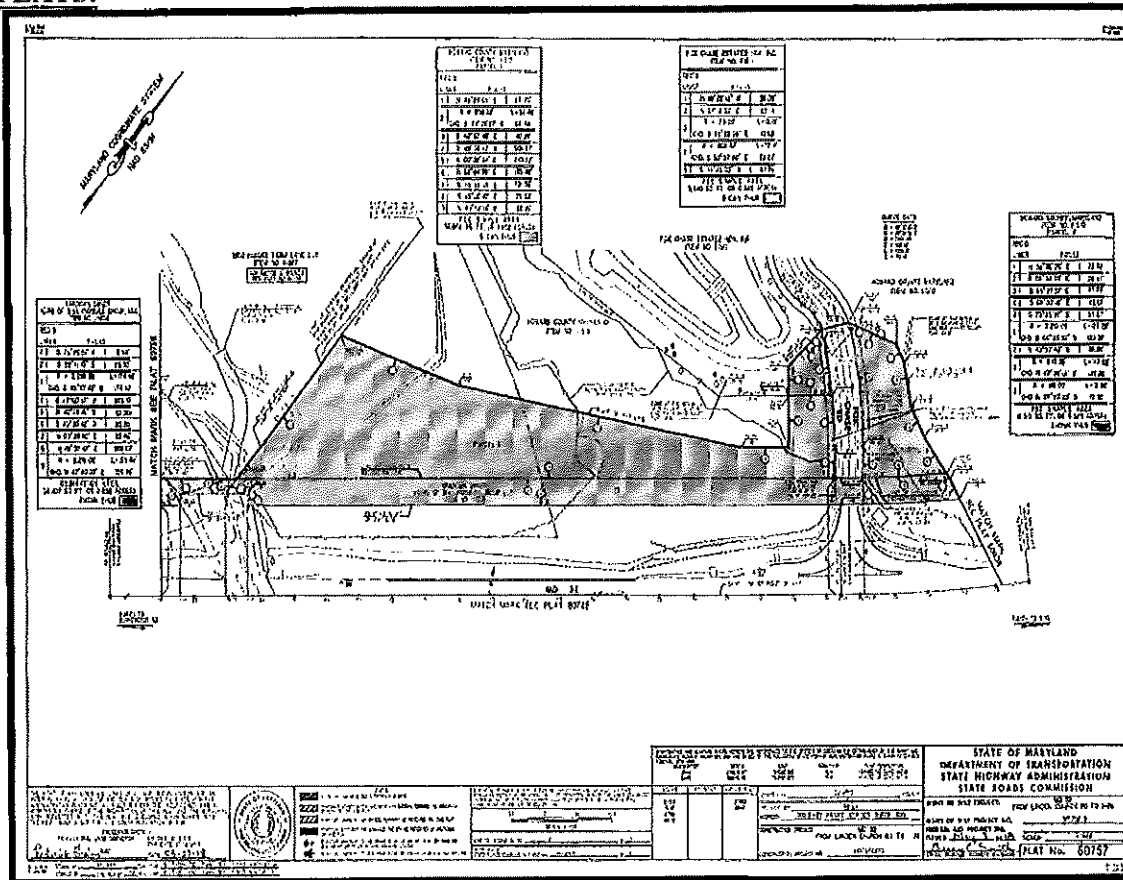
PLATS:



MARYLAND STATE HIGHWAY ADMINISTRATION

PLATS:

EXHIBIT C



MARYLAND STATE HIGHWAY ADMINISTRATION

2019

PROPERTY: HOWARD COUNTY MARYLAND

PROJECT NO.: HO756B33

PROJECT NAME: MD 32 FROM LINDEN CHURCH
RD TO I-70

ITEM NO./PLAT: 111510 & 111512/60757(ISSUED:
05/03/2018)

LOCATED AT: FOX CHASE ROAD
WEST FRIENDSHIP, MD 21794

PREPARED FOR: MARYLAND STATE HIGHWAY
ADMINISTRATION/OFFICE OF
REAL ESTATE, DISTRICT 7
5111 BUCKEYSTOWN PIKE
FREDERICK, MARYLAND 21704

PREPARED BY: DENNIS R. D'ARGENIO

EFFECTIVE DATE: MAY 17, 2019

DATE OF REPORT: MAY 30, 2019



Appraisal Division
Office of Real Estate
211 East Madison Street
Baltimore, MD 21207

MARYLAND STATE HIGHWAY ADMINISTRATION

May 30, 2019

RE: Appraisal Report
Project No HO756B33
R/W Project: MD 32 FROM LINDEN CHURCH RD
TO I-70
Property of: HOWARD COUNTY MARYLAND
Item: 111510/111512

Mr. Lee Lambert,
District Chief
Maryland State Highway Administration
Office of Real Estate; Right of Way District 7
5111 Buckeystown Pike
Westminster, MD 21704

Dear Mr. Lee Lambert:

In accordance with your request, we have prepared an appraisal on the above referenced property and presented our findings in the attached summary appraisal report. The subject property consists of two (2) parcels of land and is located at FOX CHASE ROAD, WEST FRIENDSHIP, MD 21794.

In this report, I have conducted an investigation and analysis of the subject property necessary to provide an opinion of market value of the fee simple interest, and just compensation that should be paid for a proposed acquisition by the State Highway Administration. In rendering an opinion, the appraiser has developed an opinion of fair market value of the land in its "as-is" condition. I have made an inspection of the subject site, a study of environs, and have considered such other facts and data which, in my opinion, were important for the completion of this appraisal assignment.

These value conclusions reported herein are subject to the definitions, certification, assumptions, and limiting conditions contained within this appraisal report. The "fair market value" as defined in this report reflects law and public policy of the Annotated Code of Maryland.

The Maryland State Highway Administration has proposed an acquisition for the MD 32 FROM LINDEN CHURCH RD TO I-70 right-of-way project as follows:

Fee Simple (parcel 1)	85,046 +/- square feet	1.952 +/- acres
Fee Simple (parcel 2)	15,010 +/- square feet	0.345 +/- acres

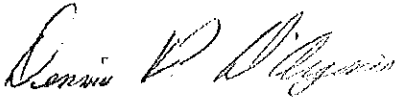
Based on an investigation and analysis undertaken, it is my opinion that the total estimated fair market value of the subject property before and after a proposed acquisition by the State Highway Administration as of May 17, 2019 the date of inspection, is:

The "as-is" opinion of fair market value of the entire property "Before the taking": **\$1,113,210.00**
The "as-is" opinion of fair market value of the entire property "After the taking": **\$1,009,845.00**
The estimated value of the acquisition "Taking and damages": **\$103,365.00**

Value of Acquisition: \$103,400.00(Rounded)

I hereby certify to the best of my knowledge and belief, the statements, judgements, and opinions in this appraisal are correct and that I have no present or contemplated personal interest in the property appraised. The data, analysis, and conclusions that support the estimate of value is provided on the following pages.

Respectfully submitted,



Dennis R. D'Argenio
Division Chief,
ORE Appraisal Division
MD State Highway Administration

2019

PROPERTY: HOWARD COUNTY MARYLAND

PROJECT NO.: HO756B33

PROJECT NAME: MD 32 FROM LINDEN CHURCH
RD TO I-70

ITEM NO./PLAT: 111534/60937(ISSUED: 04/02/2018)

LOCATED AT: WEST FRIENDSHIP SHOPPING
CENTER ROAD
WEST FRIENDSHIP, MD 21794

PREPARED FOR: MARYLAND STATE HIGHWAY
ADMINISTRATION/OFFICE OF
REAL ESTATE, DISTRICT 7
5111 BUCKEYSTOWN PIKE
FREDERICK, MARYLAND 21704

PREPARED BY: DENNIS R. D'ARGENIO

EFFECTIVE DATE: MAY 17, 2019

DATE OF REPORT: JUNE 10, 2019



Appraisal Division
Office of Real Estate
211 East Madison Street
Baltimore, MD 21207

MARYLAND STATE HIGHWAY ADMINISTRATION

June 10, 2019

RE: Appraisal Report
Project No HO756B33
R/W Project: MD 32 FROM LINDEN CHURCH RD
TO I-70
Property of: HOWARD COUNTY MARYLAND
Item: 111534

Mr. Lee Lambert,
District Chief
Maryland State Highway Administration
Office of Real Estate; Right of Way District 7
5111 Buckeystown Pike
Westminster, MD 21704

Dear Mr. Lee Lambert:

In accordance with your request, we have prepared a statement of value on the above referenced property and presented our findings in the attached report. The subject property consists of a Howard County Right-of-Way located off MD 144 (Frederick Road) and just west of MD Route 32. The right-of-way is known as West Friendship Shopping Center Road and used for a service road off MD Route 144 to provide access to 11710 Frederick Road, 12780/12800 N. Route 144 (Frederick Road), and the Mark S. Wah property identified as Parcel 14, W. Route 32.

In this report, I have conducted an investigation and analysis of the subject property necessary to provide an opinion of market value of the fee simple interest, and just compensation that should be paid for a proposed acquisition by the State Highway Administration. In rendering an opinion, the appraiser has developed an opinion of fair market value of the land in its "as-is" condition. I have made an inspection of the subject site, a study of environs, and have considered such other facts and data which, in my opinion, were important for the completion of this appraisal assignment.

These value conclusions reported herein are subject to the definitions, certification, assumptions, and limiting conditions contained within this appraisal report. The "fair market value" as defined in this report reflects law and public policy of the Annotated Code of Maryland.

The Maryland State Highway Administration has proposed an acquisition for the MD 32 FROM LINDEN CHURCH RD TO I-70 right-of-way project as follows:

Fee Simple	6,324+/- square feet	0.145+/- acres
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Based on an investigation and analysis undertaken, it is my opinion that the contributory value of the subject property "before" and "after" a proposed acquisition by the State Highway Administration as of May 17, 2019 the date of inspection, is:

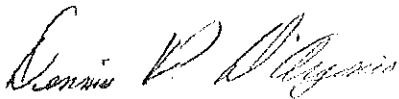
MARYLAND STATE HIGHWAY ADMINISTRATION

The "as-is" opinion of fair market value of the entire property "Before the assemblage":	\$474,855.75
The "as-is" opinion of fair market value of the entire property "After the assemblage":	\$429,006.75
The estimated value of the acquisition "Taking and damages":	\$45,849.00

Value of Acquisition: \$45,850.00(Rounded)

I hereby certify to the best of my knowledge and belief, the statements, judgements, and opinions in this report are correct and that I have no present or contemplated personal interest in the property valued. The data, analysis, and conclusions that support the estimate of value is provided on the following pages.

Respectfully submitted,



Dennis R. D'Argenio
Division Chief,
ORE Appraisal Division
MD State Highway Administration

2019

PROPERTY: HOWARD COUNTY

PROJECT NO.: HO756B33

PROJECT NAME: MD 32 FROM LINDEN CHURCH
RD TO I-70

ITEM NO./PLAT: 111601/60938(REVISED 8/20/2018)

LOCATED AT: VISTAVIEW DR. WEST
FRIENDSHIP, MD 21794

PREPARED FOR: MARYLAND STATE HIGHWAY
ADMINISTRATION/OFFICE OF REAL
ESTATE, DISTRICT 7
5111 BUCKEYSTOWN PIKE
FREDERICK, MARYLAND 21704

PREPARED BY: DENNIS R. D'ARGENIO

EFFECTIVE DATE: MAY 17, 2019

DATE OF REPORT: MAY 30, 2019



Appraisal Division
Office of Real Estate
211 East Madison Street
Baltimore, MD 21207

MARYLAND STATE HIGHWAY ADMINISTRATION

MAY 30, 2019

RE: Appraisal Report
Project No HO756B33
R/W Project: MD 32 FROM LINDEN CHURCH RD
TO I-70
Property of: HOWARD COUNTY
Item: 111601/60938

Mr. Lee Lambert
District Chief
Maryland State Highway Administration
Office of Real Estate, Right-of-Way DISTRICT 7
5111 BUCKEYSTOWN PIKE
FREDERICK, MARYLAND 21794

Dear Mr. Lee Lambert:

In accordance with your request, we have prepared an appraisal on the above referenced property and presented our findings in the attached summary appraisal report. The subject property consists of one (1) parcel of land and is located at VISTAVIEW DR. WEST FRIENDSHIP, MD 21794.

In this report, I have conducted an investigation and analysis of the subject property necessary to provide an opinion of market value of the Fee Simple Acquisition interest, and just compensation that should be paid for a proposed acquisition by the State Highway Administration. In rendering an opinion, the appraiser has developed an opinion of fair market value of the land in its "as-is" condition. I have made an inspection of the subject site, a study of environs, and have considered such other facts and data which, in my opinion, were important for the completion of this appraisal assignment.

These value conclusions reported herein are subject to the definitions, certification, assumptions, and limiting conditions contained within this appraisal report. The "fair market value" as defined in this report reflects law and public policy of the Annotated Code of Maryland.

The Maryland State Highway Administration has proposed an acquisition for the MD 32 FROM LINDEN CHURCH RD TO I-70 right-of-way project as follows:

Fee Simple	8,399+/- square feet	0.193+/- acres
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Based on an investigation and analysis undertaken, it is my opinion that the total estimated fair market value of the subject property before and after a proposed acquisition by the State Highway Administration as of MAY 17, 2019 the date of inspection, is:

The "as-is" opinion of fair market value of the entire property "Before the taking":	\$995,300.00
The "as-is" opinion of fair market value of the entire property "After the taking":	\$948,030.00
The estimated value of the acquisition "Taking and damages":	\$47,270.00

Value of Acquisition: \$47,300.00 (Rounded)

I hereby certify to the best of my knowledge and belief, the statements, judgements, and opinions in this appraisal are correct and that I have no present or contemplated personal interest in the property appraised. The data, analysis, and conclusions that support the estimate of value is provided on the following pages.

Respectfully submitted,



Dennis R. D'Argenio
Division Chief,
ORE Appraisal Division
MD State Highway Administration