County Council of Howard County, Maryland

2020 Legislative Session Legislative Day No. 10

Resolution No. 108 -2020

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 a Water, Sewer and Utility Easement, containing 20,918 square feet, and of a Right of Way Easement, containing 7,502 square feet, conveyed to Howard County, Maryland are no longer needed by the County for public purposes; authorizing the County Executive to terminate the easement interests in the property of the fee simple owner, The Normandy Venture Limited Partnership; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the easement interests to The Normandy Venture Limited Partnership; and providing that the County Executive is not bound to terminate the easement interests if he finds that the easements may have a public use.

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Introduced and read first time, 2020.	
	By order
	Diane Schwartz Jones, Administrator
Read for a second time at a public hearing on	, 2020.
	By order
	Diane Schwartz Jones, Administrator
This Resolution was read the third time and was Adopted, Adopted	with amendments, Failed, Withdrawn, by the County Council
on, 2020.	
	Certified By Diane Schwartz Jones, Administrator
	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; <u>Underlining</u> indicates material added by amendment

1	WHEREAS, as part of Capital Project 33-W&S, the County acquired a water, sewer, and
2	utility easement (the "Water, Sewer and Utility Easement") by Deed and Agreement dated January
3	26, 1968 and recorded on February 2, 1968 among the Land Records of Howard County, Maryland
4	in Liber 482, Folio 284 on certain property that is now owned by The Normandy Venture Limited
5	Partnership (the "Owner") and is improved as the Normandy Shopping Center; and
6	
7	WHEREAS, as part of Capital Project 33-W&S, the County acquired a right of way for a
8	water main (the "Right of Way Easement") by Deed of Easement and Agreement dated January
9	23, 1989 and recorded on February 1, 1989 among the Land Records of Howard County, Maryland
10	in Liber 1950, Folio 621 on certain property also located at the Normandy Shopping Center; and
11	
12	WHEREAS, the Owner has requested that the County release a portion containing 20,918
13	square feet of the Water, Sewer and Utility Easement, and a portion containing 7,502 square feet
14	of the Right of Way Easement, as shown as "existing easement to be abandoned" in the attached
15	plat entitled "Plat of Revision, Normandy Shopping Center, Parcels A, B and C, Previously
16	recorded as Plat 10366-68 and Plat 24993" and attached hereto as Exhibit A (collectively, the
17	"Easements to be Abandoned"); and
18	
19	WHEREAS, the County has reviewed the plans submitted by the Owner and has
20	determined that the Easements to be Abandoned are no longer required for public purposes; and
21	
22	WHEREAS, Section 4.201 "Disposition of real property" of the Howard County Code
23	authorizes the County Council to declare that property is no longer needed for public purposes and
24	also authorizes the County Council to waive advertising and bidding requirements for an individual
25	conveyance of real property upon the request of the County Executive; and
26	
27	WHEREAS, the County Council has received a request from the County Executive to
28	waive the advertising and bidding requirements in this instance for the conveyance of the
29	Easements to be Abandoned to the Owner.

1	NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County,
2	Maryland, this day of, 2020, that the Easements to be Abandoned, a
3	portion containing 20,918 square feet of a Water, Sewer and Utility Easement and a portion
4	containing 7,502 square feet of a Right of Way Easement, as shown as "existing easement to be
5	abandoned" in the attached Exhibit, are no longer needed by the County for public purposes and
6	may be conveyed to The Normandy Venture Limited Partnership; and
7	
8	AND BE IT FURTHER RESOLVED that, having received a request from the County
9	Executive and having held a public hearing, the County Council declares that the best interest of
10	the County will be served by authorizing the County Executive to waive the usual advertising and
11	bidding requirements of Section 4.201 of the Howard County Code for the conveyance of the
12	Easements to be Abandoned to The Normandy Venture Limited Partnership.
13	
14	BE IT FURTHER RESOLVED that if the County Executive finds that the Easements to
15	be Abandoned should not be terminated, he is not bound to terminate the County's easement
16	interests in accordance with this Resolution.

BOUNDARY COORDINATES POINT # NORTHING EASTING 1366235.2750 590413.1397 590403.7382 1366412.4770 102 590334.4283 1366410.7268 103 590325.3010 | 1366546.7046 104 589883.9706 | 1366876.1075 105 106 589799.9556 | 1366763.913 589715.6803 | 1366791.9584 107 589451.8724 | 1366411.839 108 589479.1699 1366388.0550 109 110 589516.3081 1366361.2237 111 589564.2751 1366351.4560 589585.5949 1366350.515 112

589608.3548 | 1366311.8365

589620.4278 | 1366267.4382

589675.2005 | 1366237.729

589619.7846 | 1366155.4539

589846.3193 | 1366184.1224

590890.1133 | 1366278.1559

590807.3947 | 1366509.7956

1366444.6079

590795.0034

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114

115

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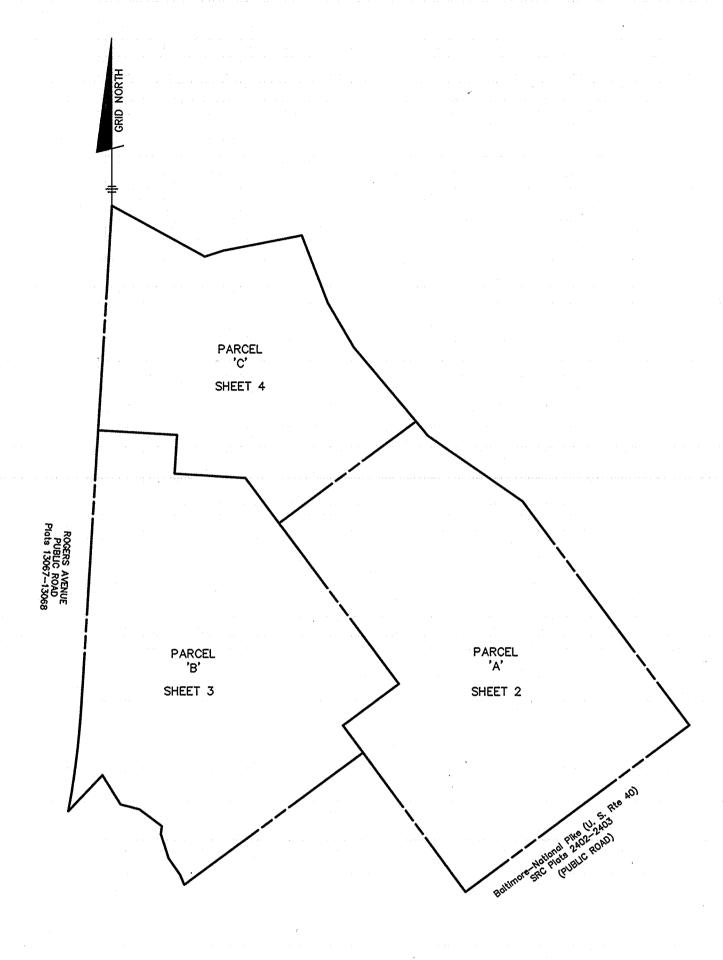
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BOUNDARY COORDINATES						
POINT #	NORTHING	EASTING				
121	590834.9498	1366660.8536				
122	590677.6947	1366732.1313				
123	590586.6854	1366786.4627				
124	590404.4467	1366944.5742				
125	590267.6449	1367134.6425				
126	589796.0194	1367481.4907				
127	589450.3410	1366981.6817				
128	590215.6162	1366629.5996				
129	590451.5728	1366897.9601				

CURVE DATA TABLE								
CURVE	RADIUS	ARC LENGTH	DELTA	TANGENT	CHORD			
C1	1840.00'	226.86'	7*03'51"	113.57	N07'06'52"E	226.71		



TABULATION CHART - TOTALS THIS SUBMISSION TOTAL NUMBER OF LOTS AND/OR PARCELS TO BE RECORDED BUILDABLE OPEN SPACE **BUILDABLE BULK PARCELS** NON-BUILDABLE BULK PARCELS _ TOTAL AREA OF LOTS AND/OR PARCELS TO BE RECORDED N/A BUILDABLE **OPEN SPACE BUILDABLE BULK PARCELS** 24.44± AC. NON-BUILDABLE BULK PARCELS N/A TOTAL AREA OF ROADWAY TO BE RECORDED (INCLUDING WIDENING STRIPS) N/A TOTAL AREA OF SUBDIVISION TO BE RECORDED _ 24.44± AC.

DATE

OWNER: THE NORMANDY VENTURE LIMITED PARTNERSHIP 3820 CHAMPIONSHIP DRIVE GLENWOOD, MARYLAND 21738 410-370-8529

BENCHMARK \ ENGINEERS ▲ LAND SURVEYORS ▲ PLANNERS ENGINEERING, INC

8480 BALTIMORE NATIONAL PIKE & SUITE 315 & ELLICOTT CITY, MARYLAND 21043 (P) 410-465-6105 (F) 410-465-6644 WWW.BEI-CIMLENGINEERING.COM

SURVEYOR'S CERTIFICATE

MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE INFORMATION SHOWN HEREON IS CORRECT, THAT IT IS PART OF LAND ACQUIRED BY THE NORMANDY VENTURE LIMITED PARTNERSHIP FROM THE PRUDENTIAL

INVESTMENTS COMPANY BY DEED DATED FEBRUARY 13, 1992 AND RECORDED IN LIBER 2472 AT FOLIO

APPROVED: FOR PUBLIC WATER AND PUBLIC SEWER SYSTEMS. HOWARD COUNTY HEALTH DEPARTMENT I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21320, EXPIRATION DATE 1-7-2021 AND I HEREBY CERTIFY TO THE BEST OF

HOWARD COUNTY HEALTH OFFICER H.O. APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING.

1.3.20 DEVELOPMENT ENGINEERING DIVISION / DATE 1.9.20

DATE

LIBER 2472 O ACCEPTANTE OF THE MARY AND MERAMENDED.

REGISTERED PROFESSIONAL LAND SURVEYOR MD REG. NO. 21320 FOR BENCHMARK ENGINEERING, INC. MD REG. NO. 351

662 AND THAT ALL MONUMENTS ARE IN PLACE OR WILL BE IN PLACE PRIOR TO ACCE ROADS BY HOWARD COUNTY, IN ACCORDANCE WITH THE ANNOTATED CODE OF MARKET

RESERVATION OF PUBLIC UTILITY EASEMENTS

DEVELOPER RESERVES UNTO ITSELF, ITS SUCCESSORS AND ASSIGNS, ALL EASEMENTS SHOWN ON THIS PLAT FOR WATER, SEWER, STORM DRAINAGE, OTHER PUBLIC UTILITIES LOCATED IN, ON, OVER AND THROUGH PARCEL B, ANY CONVEYANCES OF THE AFORESAID PARCEL SHALL BE SUBJECT TO THE EASEMENTS HEREIN RESERVED, WHETHER OR NOT EXPRESSLY STATED IN THE DEED(S) CONVEYING SAID PARCEL. UPON COMPLETION OF THE PUBLIC UTILITIES AND THEIR ACCEPTANCE BY HOWARD COUNTY, THE COUNTY SHALL ACCEPT THE EASEMENTS AND RECORD THE DEED(S) OF EASEMENT IN THE LAND RECORDS OF HOWARD COUNTY.

OWNER'S CERTIFICATE

"THE NORMANDY VENTURE LIMITED PARTNERSHIP, OWNER OF THE PROPERTY SHOWN HEREON, HEREBY ADOPTS THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION OF APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISHES THE MINIMUM BUILDING RESTRICTION LINES AND GRANTS UNTO HOWARD COUNTY, MARYLAND, ITS SUCCESSORS AND ASSIGNS, (1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, DRAINS, WATER PIPES, AND OTHER MUNICIPAL UTILITIES AND SERVICES. IN AND UNDER ALL ROADS AND STREET RIGHTS-OF-WAY, AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON, (2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE THE BEDS OF THE STREETS AND/OR ROADS, FLOODPLAINS AND OPEN SPACE WHERE APPLICABLE, AND FOR GOOD AND OTHER VALUABLE CONSIDERATION, HEREBY GRANTS 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 WHERE APPLICABLE, (3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE, AND (4) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND SHALL BE ERECTED ON OR OVER THE SAID EASEMENTS AND RIGHTS-OF-WAY, WITNESS OUR HANDS THIS 25th DAY OF NOVEMBER, 2019."

DAVID MOXLEY NORMANDY VENTURE LIMITED PARTNERSHIP



ADC MAP 21 GRID C6 VICINITY MAP

/ #24C2 ⅔\\

GENERAL NOTES

1. SUBJECT PROPERTY ZONED B-2-TNC PER THE OCTOBER 6, 2013 COMPREHENSIVE ZONING PLAN.

2. PROJECT BOUNDARY IS BASED ON AN ALTA SURVEY BY BENCHMARK ENGINEERING, INC. IN JANUARY, 2018.

3. COORDINATES SHOWN HEREON ARE BASED ON NAD '83 MARYLAND COORDINATE SYSTEM AS PROJECTED BY HOWARD COUNTY MONUMENTS 18G1 & 24C2.

4. ALL AREAS ARE CONSIDERED "MORE OR LESS".

BENCHMARKS NAD'83 HORIZONTAL

E 1367750.25'

E 1366038.16'

HO. CO. #18G1 STAMPED BRASS DISK SET ON TOP OF

ELEVATION: 407.826'

STAMPED BRASS DISK SET ON TOP OF

ELEVATION: 354.089

CONCRETE BASE. N 589984.961'

HO. CO. #24C2

CONCRETE BASE N 588648.325'

> 5. THERE ARE EXISTING STRUCTURES ON PARCELS 'A' AND 'B' THAT ARE TO REMAIN. NO NEW BUILDINGS, EXTENSIONS OR ADDITIONS TO THE EXISTING STRUCTURES ARE TO BE CONSTRUCTED AT A DISTANCE LESS THAN THE ZONING REGULATION REQUIREMENTS.

6. NO GRADING, REMOVAL OF VEGETATIVE COVER OR TREES, PAVING AND NEW STRUCTURES SHALL BE PERMITTED WITHIN THE LIMITS OF WETLANDS, STREAM(S), THEIR REQUIRED BUFFERS, OR 100-YEAR FLOODPLAIN.

7. THIS PLAT IS EXEMPT FROM THE FOREST CONSERVATION REQUIREMENTS BECAUSE IT IS A REVISION PLAT THAT DOES NOT CREATE ANY NEW LOTS IN ACCORDANCE WITH SECTION 16.1202(b)(1)(vii) OF THE HOWARD COUNTY CODE.

8. THIS PLAT IS EXEMPT FROM THE REQUIREMENTS OF SECTION 16.124 OF THE HOWARD COUNTY CODE AND THE LANDSCAPE MANUAL BECAUSE IT IS A REVISION PLAT THAT DOES NOT CREATE ANY NEW LOTS OR PARCELS DIVISIONS.

9. PROPERTY SUBJECT TO PRIOR DEPARTMENT OF PLANNING AND ZONING FILE NUMBERS: WP-97-026, WP-98-055, WP-98-033, F-19-066, F-98-033

10. ALTERNATIVE COMPLIANCE, WP-98-55, WHICH WAIVED SECTION 16.147(c)(17) OF THE THE HOWARD COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS WHICH REQUIRES THE LOCATION OF THE FLOODPLAIN, WETLANDS, WETLANDS BUFFERS AND STREAM BUFFERS ON THE FINAL PLAT WAS APPROVED ON DECEMBER 23, 1997

> THE REQUIREMENTS § 3-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1988 REPLACEMENT VOLUME (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

10/9/19 DONALD A. MASON REGISTERED PROFESSIONAL LAND SURVEYOR MARYLAND NO. 21320

THE NORMANDY VENTURE LIMITED PARTNERSHIP

THE PURPOSE OF THIS PLAT OF REVISION IS TO ABANDON A PORTION OF A PUBLIC WATER, SEWER, AND UTILITY EASEMENT, A PORTION OF A PUBLIC WATER AND UTILITY EASEMENT AND TO ESTABLISH A NEW PUBLIC 20' SEWER & UTILITY EASEMENT AND A NEW PUBLIC 20' WATER & UTILITY EASEMENT.

RECORDED AS PLAT NO.

AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

PLAT OF REVISION

NORMANDY SHOPPING CENTER

PARCELS 'A', 'B' AND 'C' Previously recorded as Plat 10366-68 and Plat 24993

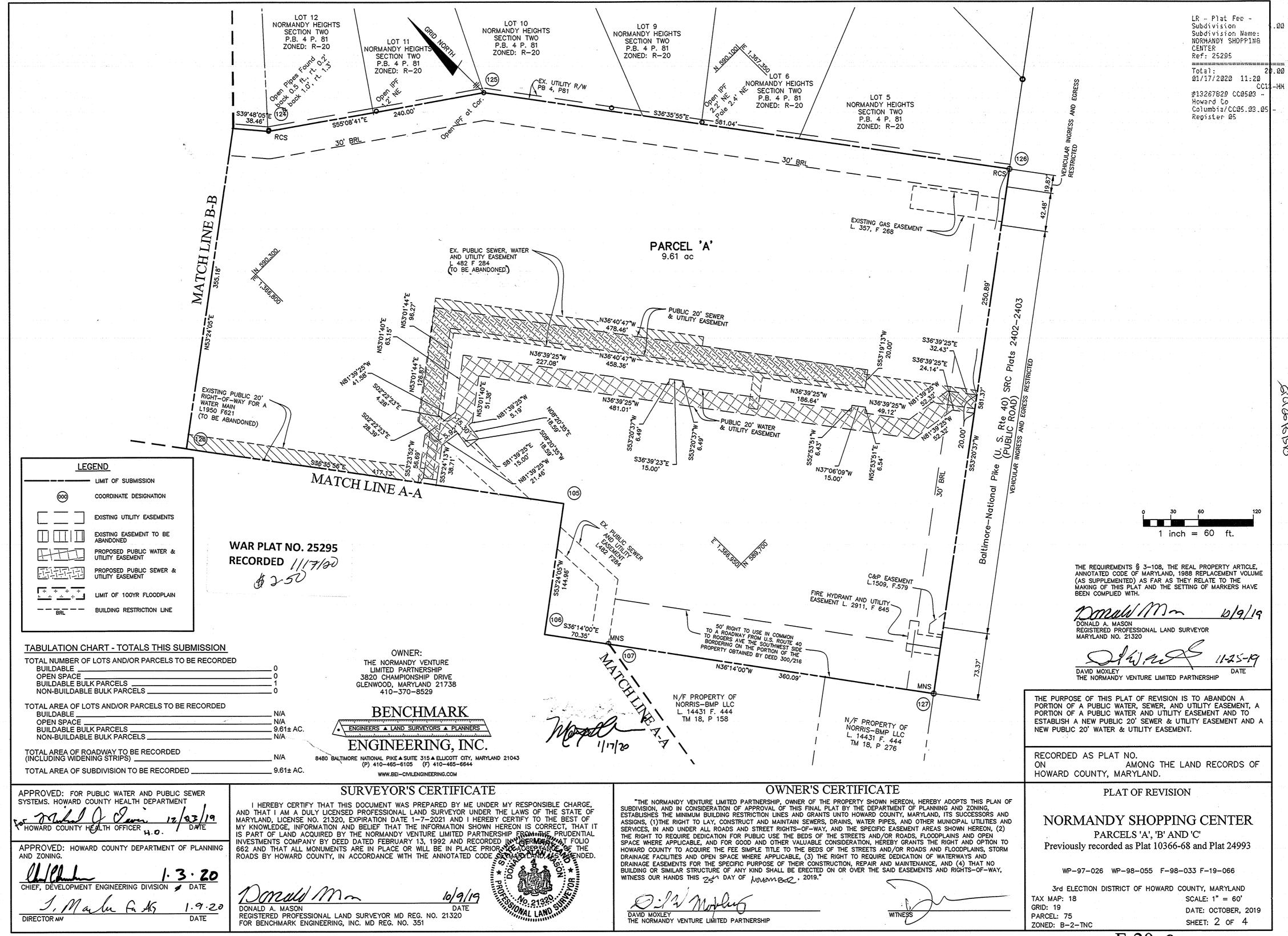
WP-97-026 WP-98-055 F-98-033 F-19-066

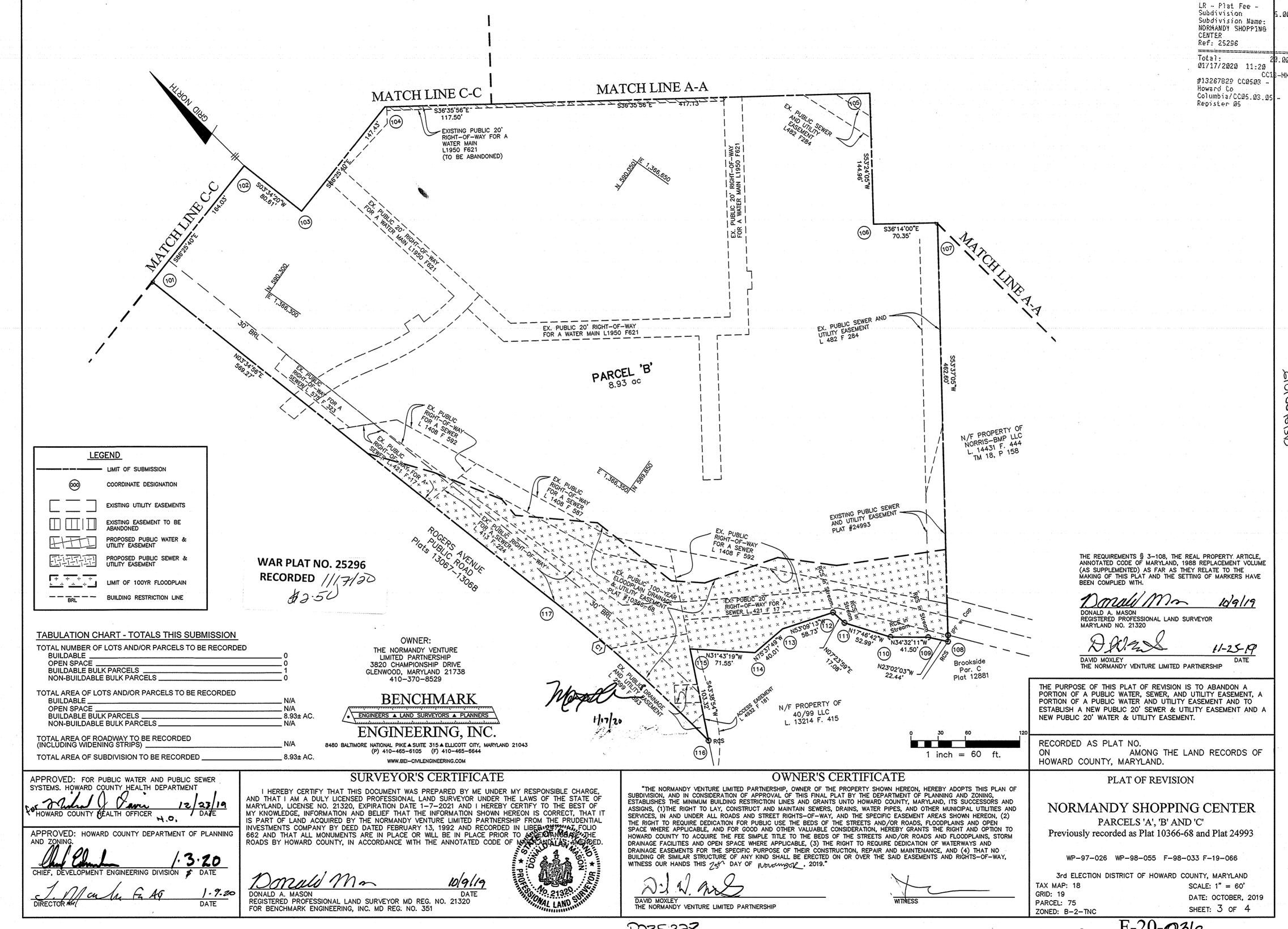
SHEET: 1 OF 4

3rd ELECTION DISTRICT OF HOWARD COUNTY, MARYLAND SCALE: 1" = 60' TAX MAP: 18 GRID: 19 DATE: OCTOBER, 2019

PARCEL: 75 ZONED: B-2-TNC

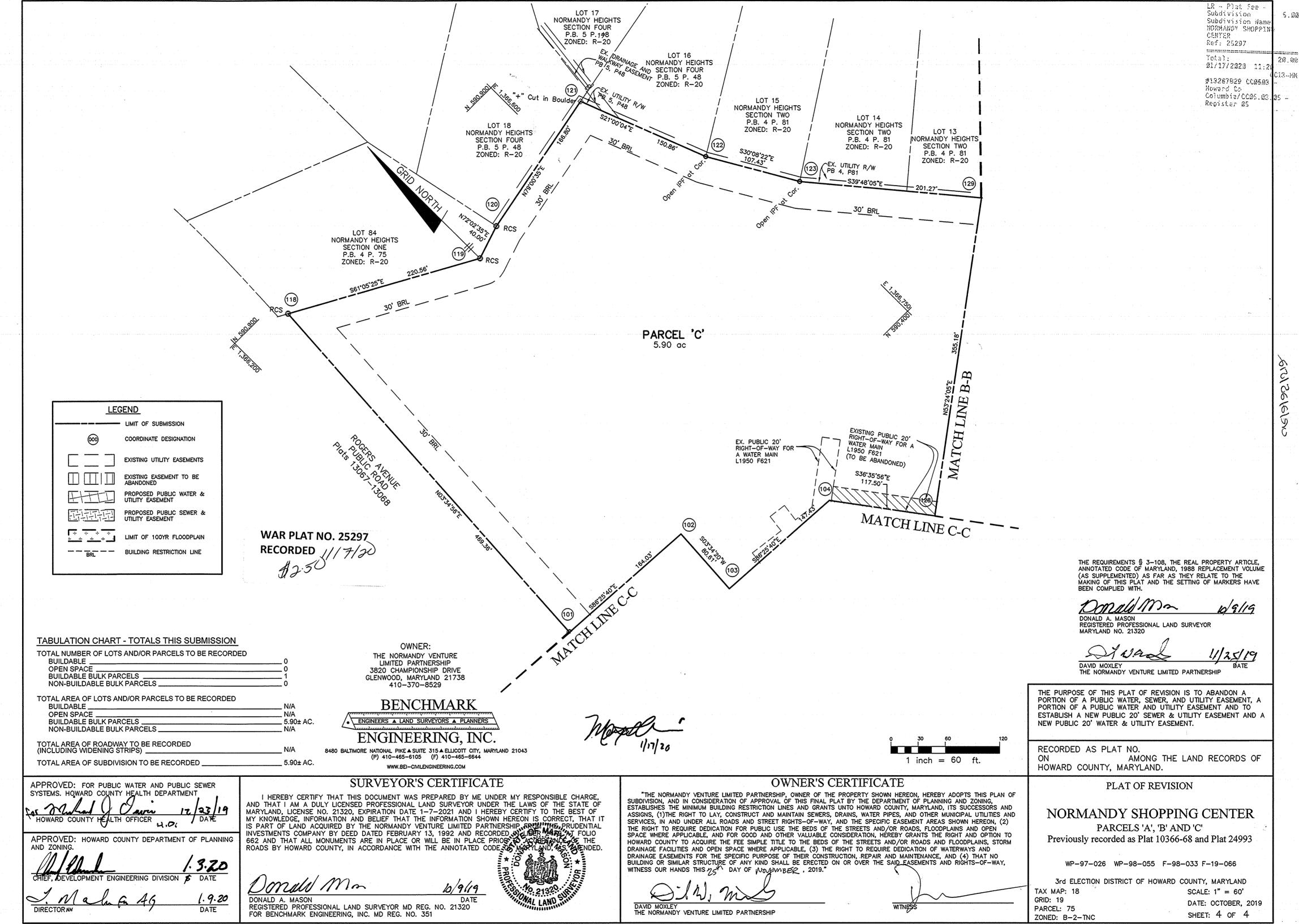
F-20-036 MSA C2125-6213-1





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