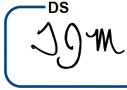


**Howard County**  
*Internal Memorandum*

---

**Subject:** Testimony & Fiscal Impact Statement  
Council Resolution No. 109 - 2020 declaring that property containing 2.447 acres, owned by Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to convey, at no cost, fee simple title to the property to 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 County may have a public use for it.

**To:** Lonnie R. Robbins,  
Chief Administrative Officer

**From:** Thomas J. Meunier, Acting Director   
Department of Public Works

**Date:** July 10, 2020

The Department of Public Works has been designated coordinator for preparation of testimony declaring that 2.447 acres, owned by Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to convey, at no cost, fee simple title to the property to the State of Maryland; and providing that the County Executive is not bound to convey the property if he finds that the County may have a public use for it.

The County is the owner of the 2.447 acres of land shown as “Howard County, Maryland 11204 Parcel 1” and “Howard County, Maryland 11204 Parcel 2” on the plat entitled “State of Maryland Department of Transportation State Highway Administration State Roads Commission,” Plat No. 61440, which was acquired by the County from the State Highway Administration of the Maryland Department of Transportation, acting for and on behalf of the State Highway Administration (the “State”) by a Standard Road Conveyance Deed dated July 27, 2016 and recorded among the Land Records of Howard County, Maryland at Liber 17386, folio 498 (the “Property”).

The Property is currently the site of a pond known as “Grace Pond,” which functions as a stormwater management best management practice (“BMP”) identified as BMP130027.

Grace Pond takes drainage from the adjacent Maryland Department of Transportation right-of-way along MD 32 and was selected as a retrofit project to meet the States’ Municipal Separate Storm Sewer System (“MS4”) restoration credit requirements, due to significant quantity of runoff from the adjacent state right-of-way along MD 32.

Lonnie R. Robbins  
Page – 2  
July 10, 2020

So that the State can meet its MS4 restoration credit requirements, the County wishes to convey Grace Pond (BMP130027) to the State at no cost, including the transfer of all maintenance responsibility of Grace Pond in perpetuity. BMP130027 is included in State construction contract AX7665282R, where notice to proceed was issued on April 23, 2019, and the anticipated completion date is June 30, 2020.

The Property is currently owned by the County and a previously negotiated right of entry is in place while the State performs work under AX7665282R.

It is necessary to transfer ownership of the Property from the County to the State to ensure that the State can continue to operate and maintain Grace Pond in perpetuity in order to meet applicable law.

Section 4.201, “Disposition of real property” of the Howard County Code authorizes the County Council to declare that the property is no longer needed for public purposes and may be disposed of by resolution.

There is no fiscal impact associated with the conveyance of this Property.

Representatives of this department will be present at the public hearing to answer any questions or concerns. If you require any further information concerning this matter or have any additional questions, please do not hesitate to contact me at your convenience.

TJM/mb

cc: Jennifer Sager  
File

RIM/Legislation/2020/Grace Pond- Testimony