

County Council Of Howard County, Maryland

2012 Legislative Session

Legislative Day No. 15

Resolution No. 180 -2012

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION authorizing and directing the Office of Law to institute condemnation proceedings in the Circuit Court for Howard County, Maryland for the acquisition of a sewer, water and utility easement needed for a public purpose and on land believed to be owned by or assessed to Mary Howard Bruce Smith and known as Bowdoin Road.

Introduced and read first time December 3, 2012.
By order Stephen LeGendre
Stephen LeGendre, Administrator

Read for a second time at a public hearing on December 17, 2012.
By order Stephen LeGendre
Stephen LeGendre, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on January 7, 2013.

Certified By Stephen LeGendre
Stephen LeGendre, 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**, as part of the construction of Capital Project No. S-6260, Rockburn Hill
2 Road Sewer, the County must acquire easements for the provision of water, sewer and utility
3 services and one of the easements is within a private road known as Bowdoin Road; and
4

5 **WHEREAS**, the Department of Public Works has been unable to purchase or otherwise
6 acquire land for the sewer, water and utility easement (the "Easement") on property believed to
7 be owned by Mary Howard Bruce Smith as shown on the attached exhibit and as acquired by
8 Deed dated June 1, 1954 and recorded among the Land Records of Howard County, Maryland in
9 Liber 257, folio 269; and
10

11 **WHEREAS**, the Department of Public Works has reviewed the subject matter and the
12 Director of Public Works has found that it is necessary that the Easement be acquired for public
13 use and purposes, and has recommended that condemnation proceedings be instituted in the
14 Circuit Court for Howard County, Maryland and that the County Executive has approved such
15 recommendation.
16

17 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
18 Maryland, this 7th day of January, 2013, that

- 19 1. There is a public purpose involved in acquiring the aforesaid Easement and that
20 action is taken pursuant to the express powers set forth in Article 25A of the
21 Annotated Code of Maryland and Section 4.200 of the Howard County Code;
- 22 2. That the Easement shall be acquired for public use for the limited purposes
23 intended, and that it is necessary that condemnation proceedings be instituted; and
- 24 3. That the Office of Law is authorized and directed to institute condemnation
25 proceedings and acquire the Easement in, on, over and through the property
26 known as Bowdoin Road and believed to be owned by or assessed to Mary
27 Howard Bruce Smith as acquired by Deed dated June 1, 1954 and recorded
28 among the Land Records of Howard County, Maryland in Liber 257, folio 269.

