

County Council of Howard County, Maryland

2019 Legislative Session

Legislative Day No. 6

Resolution No. 89 -2019

Introduced by: The Chairperson at the request of the County Executive
at the request of Dorsey Overlook, LLLP

AN ACT declaring that a portion of Old Maryland Route 108, containing approximately 1.087 acres, is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order for the County to convey a perpetual non-exclusive easement in the County's property interest 1.087 acres for access and parking to the developer of the adjacent property, Dorsey Overlook, LLLP.

Introduced and read first time ~~May 6~~ May 6, 2019.

By order Signature on Unenrolled copy
Jessica Feldmark, Administrator

Read for a second time at a public hearing on May 20, 2019.

Tabled 6/3/19

By order Signature on Unenrolled copy
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on September 8, 2019. 2020

Certified By Signature
Jessica Feldmark, Administrator
Biane Schwartz Jones

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**, Howard County, Maryland is the owner by quit claim deed of portions
2 of the public road that was a part of Maryland Route 108 by a Road Transfer Deed from the
3 State Highway Administration of the Department of Transportation dated December 14, 1994
4 and recorded among the Land Records of Howard County, Maryland in Liber 3437, folio 300;
5 and

6
7 **WHEREAS**, on May 7, 2018, the County Council of Howard County adopted
8 Council Resolution No. 14-2018 (“CR 14”); and

9
10 **WHEREAS**, CR 14 closed a portion of Old Maryland Route 108 containing
11 approximately 1.087 acres, ~~as described in Exhibit A and shown in Exhibit B;~~ and

12
13 ~~**WHEREAS**, Dorsey Overlook, LLLP requested that the portion of Old Maryland~~
14 ~~Route 108 that was closed in CR 14 be conveyed to Dorsey Overlook, LLLP; and~~

15 **WHEREAS**, Dorsey Overlook, LLLP requested that an easement in a portion of
16 Old Maryland Route 108 that was closed in CR 14 be conveyed to Dorsey Overlook, LLLP,
17 for its use as an access and parking easement; and

18
19 **WHEREAS**, the Department of Public Works has reviewed and approved the
20 ~~proposed conveyance of its property interest in the closed portion of Old Maryland Route~~
21 ~~108, subject to easements for the existing utilities within the road, for the appraised value~~
22 ~~of \$50,000 \$10,650; and~~

23 proposed conveyance of a perpetual non-exclusive easement interest in the closed portion
24 of Old Maryland Route 108 containing 1.087 acres as described and shown in Exhibit A
25 (“Easement Area”), for the appraised value of \$10,650; and

26
27 ~~**WHEREAS**, Dorsey Overlook, LLLP, has submitted a survey Project Number P-~~
28 ~~17-003, entitled “Right of Way for Old Route 108” to the Department of Public Works~~
29 ~~which is attached hereto as Exhibit B; and~~

30

1 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County
2 Code authorizes the County Council to declare that property is no longer needed for public
3 purposes and also authorizes the County Council to waive advertising and bidding
4 requirements for an individual conveyance of real property upon the request of the County
5 Executive; and

6
7 **WHEREAS**, the County Council has received a request from the County Executive
8 to waive the advertising and bidding requirements in this instance for the
9 ~~conveyance of the portion of Old Maryland Route 108, as closed by CR 14, to Dorsey~~
10 ~~Overlook, LLLP, subject to easements for the existing utilities within Old Maryland Route~~
11 ~~108, for the appraised value of \$50,000.~~
12 conveyance, for the appraised value of \$10,650, of an access and parking easement in the
13 Easement Area to Dorsey Overlook, LLLP.

14
15 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard
16 County, Maryland, this 8th day of September, 2019-2020, that the ~~closed~~
17 ~~portion of Old Maryland Route 108 Easement Area~~ comprising approximately 1.087 acres,
18 as described ~~in the attached Exhibit A and as shown in the attached Exhibit B and shown~~
19 in the attached Exhibit A, is no longer needed for a public purpose and ~~may be conveyed~~
20 that a perpetual non-exclusive easement may be conveyed in the Easement Area for use for
21 access and parking to Dorsey Overlook, LLLP.

22
23 **AND BE IT FURTHER RESOLVED** that, having received a request from the
24 County Executive and having held a public hearing, the County Council declares that the
25 best interest of the County will be served by authorizing the County Executive to waive
26 the usual advertising and bidding requirements of Section 4.201 of the Howard County
27 ~~Code for the conveyance of the closed portion of Old Maryland Route 108 to Dorsey~~
28 ~~Overlook, LLLP, subject to easements for the existing utilities within Old Maryland Route~~
29 ~~108, for the appraised value of \$50,000.~~
30 Code for the conveyance of a perpetual, non-exclusive access and parking easement in the
31 Easement Area to Dorsey Overlook, LLLP for the appraised value of \$10,650.

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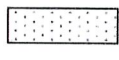
AND BE IT FURTHER RESOLVED that, if the County Executive finds that the ~~closed portion of Old Maryland Route 108 Easement Area~~ may have a further public use and an easement interest should not be conveyed, he is not bound to convey ~~the closed portion of Old Maryland Route 108~~ an easement in the Easement Area in accordance with this Resolution.

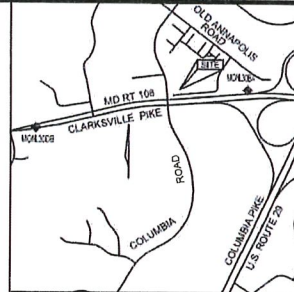
AND BE IT FURTHER RESOLVED that the County Executive shall not convey the closed portion of Old Maryland Route 108 unless the easement holder indemnifies the County against all loss and damages arising from use of the road by third-parties as a road and for parking, the easement holder assumes all liability arising from use of the road by third-parties as a road and for parking, and the easement holder assumes all maintenance, repair, and replacement obligations for the road and parking.

COORDINATE TABLE

NO.	NORTH	EAST
129	573193.3510	1356403.8223
130	573227.5490	1356412.0334
131	573399.5481	1356411.4670
155	573172.1697	1357035.5552
156	573159.0503	1357012.5454
157	573145.9992	1356872.3865
162	573089.5479	1356416.5633
163	573178.3325	135710.5618
164	573161.8525	1357113.0041
165	573117.7925	1357117.3112
166	573102.7193	1357118.4996
167	573070.3385	1356707.7941
168	573042.6561	1356509.3560

LEGEND

-  ROAD EASEMENT AREAS FOR EASEMENT INTEREST GRANT TO DORSEY OVERLOOK LLLP
-  VARIABLE WIDTH PUBLIC SEWER, WATER & UTILITY EASEMENT



VICINITY MAP

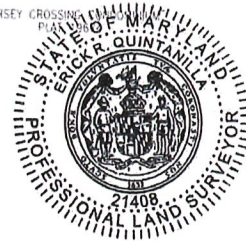
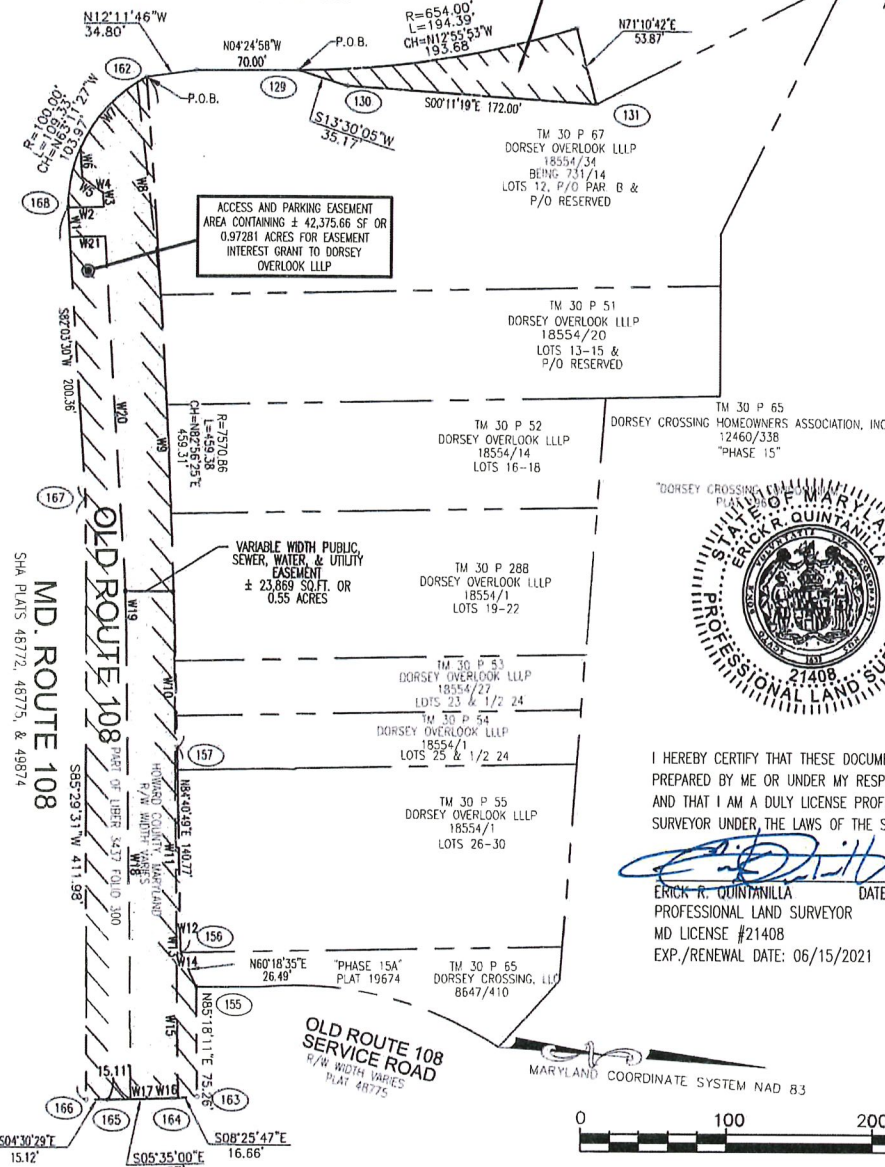
SCALE: 1"=2000'
ADC MAP 15 GRID K1

COLUMBIA ROAD

R/W WIDTH VARIES
PLATS 48772 & 48773

ACCESS EASEMENT AREA CONTAINING ± 4,974.60 SF OR 0.11420 ACRES FOR EASEMENT INTEREST GRANT TO DORSEY OVERLOOK LLLP

ACCESS AND PARKING EASEMENT AREA CONTAINING ± 42,375.66 SF OR 0.97281 ACRES FOR EASEMENT INTEREST GRANT TO DORSEY OVERLOOK LLLP



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSE PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND.

Erick R. Quintanilla 7/1/2020
ERICK R. QUINTANILLA DATE
PROFESSIONAL LAND SURVEYOR
MD LICENSE #21408
EXP./RENEWAL DATE: 06/15/2021



SCALE 1" = 100
GRAPHIC SCALE

ROBERT H. VOGEL ENGINEERING, INC.
ENGINEERS • SURVEYORS • PLANNERS
8300 NORTH RIDGE ROAD TEL: 410.461.7666
ELGOTT CITY, MD 21043 FAX: 410.461.8961

DRAWN BY : EJC CHECKED BY : BA JOB NUMBER : 12-69

REVISIONS
7/1/20-TO REFLECT EASEMENT AREA

PLAT NUMBER :
PROJECT NUMBER : 12-69
SCALE : 1"=100'
DATE : JULY 01, 2020

HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS
AREAS FOR EASEMENT INTEREST GRANT TO DORSEY OVERLOOK LLLP
TAX MAP 30, GRID 09, PARCELS 51,52,53,54,55,67,288
2ND ELECTION DISTRICT, HOWARD COUNTY, MARYLAND
SHEET 1 OF 2

APPROVED :
BUREAU OF ENGINEERING
DATE _____
REAL ESTATE SERVICES DIVISION
DATE _____

**VARIABLE WIDTH PUBLIC SEWER,
WATER & UTILITY EASEMENT
LINE TABLE**

LINE	COURSE
W1	S82°03'30"W 20.02'
W2	N05°19'38"W 24.50'
W3	S81°44'08"W 10.61'
W4	S07°21'09"E 1.21'
W5	S33°06'41"W 16.29'
W6	S82°14'05"W 20.06'
W8	N78°58'41"E 140.41'
W10	N85°08'10"E 115.59'
W11	N85°04'38"E 111.77'
W12	N04°36'39"W 2.34'
W13	N84°40'49"E 15.00'
W14	S04°36'39"E 2.44'
W15	N85°04'38"E 97.06'
W16	S08°25'47"E 3.41'
W17	S05°35'00"E 29.16'
W18	S85°02'24"W 320.96'
W19	S84°15'41"W 27.63'
W20	S82°18'13"W 243.52'
W21	S05°19'38"E 24.34'

**VARIABLE PUBLIC WIDTH SEWER, WATER & UTILITY EASEMENT
CURVE TABLE**

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD
W7	100.00'	60.06'	30.98'	34°25'35"	N53°23'46"W 59.19'
W9	7570.86'	217.31'	108.66'	01°38'40"	N83°06'37"E 217.30'

ROBERT H. VOGEL
ENGINEERING, INC.
 ENGINEERS • SURVEYORS • PLANNERS
 3300 NORTH RIDGE ROAD TEL: 410.481.7566
 ELLIOTT CITY, MD 21043 FAX: 410.481.7566

DRAWN BY : EJG CHECKED BY : BA JOB NUMBER : 12-69

REVISIONS
7/1/20-TO REFLECT EASEMENT AREA

PLAT NUMBER :
 PROJECT NUMBER : 12-69
 SCALE : N/A
 DATE : JULY 01, 2020

HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS
 AREAS FOR EASEMENT INTEREST
 GRANT TO
 DORSEY OVERLOOK LLLP
 TAX MAP 30, GRID 09, PARCELS 51,52,53,54,55,67,288
 2ND ELECTION DISTRICT, HOWARD COUNTY, MARYLAND
 SHEET 2 OF 2

APPROVED :
 BUREAU OF ENGINEERING
 _____ DATE _____
 REAL ESTATE SERVICES DIVISION
 _____ DATE _____