

# County Council Of Howard County, Maryland

2007 Legislative Session

Legislative Day No. 9

## Resolution No. 88 -2007

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

A RESOLUTION approving, pursuant to Section 4.203 of the Howard County Code, the transfer of 10 acres of real property owned by the Board of Education of Howard County, located at the intersection of Tamar Drive and Maryland Route 175, to Howard County as a conduit for the transfer of the real property to St. John Evangelist Baptist Church in exchange for the conveyance by the Church to the Board of Education of 41.15 acres of real property located at 2865 Marriottsville Road, Ellicott City; and providing that this Resolution is null and void if certain State approvals are not granted on or before a certain date.

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Introduced and read first time \_\_\_\_\_, 2007.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

Read for a second time at a public hearing on \_\_\_\_\_, 2007.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

This Resolution was read the third time and was Adopted\_\_\_, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn\_\_\_, by the County Council on \_\_\_\_\_, 2007.

Certified By \_\_\_\_\_  
Sheila M. Tolliver, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1           **WHEREAS**, the Board of Education of Howard County (the “Board”) is the owner of  
2 certain real property described as being 10 acres of land located at the intersection of Tamar  
3 Drive and Maryland Route 175 and identified on Tax Map 30, Grid 24, Parcel 289, Lot 581  
4 acquired on March 11, 1974 by deed recorded in the Land Records of Howard County at Liber  
5 674, Folio 478 (the “Board Property”), as shown on the attached Exhibit A; and  
6

7           **WHEREAS**, St. John Evangelist Baptist Church is the owner of certain real property  
8 described as being 41.15 acres of land located at 2865 Marriottsville Road, Ellicott City and  
9 identified on Tax Map 16, Grid 16, Parcel 203 acquired on February 19, 1998 by deed recorded  
10 in the Land Records of Howard County at Liber 4195, Folio 435 saving and excepting that parcel  
11 of land conveyed to Howard County, Maryland by virtue of a Deed dated September 5, 2003 and  
12 recorded among the Land Records of Howard County, Maryland in Liber 7680, Folio 259 (the  
13 “St. John Property”), as shown on the attached Exhibit B; and  
14

15           **WHEREAS**, pursuant to Section 4.203 of the Howard County Code, the Board has  
16 determined that the Board Property is no longer needed for educational purposes, the St. John  
17 Property is available for educational purposes, and St. John Evangelist Baptist Church is willing  
18 to convey the St. John Property to the Board; and  
19

20           **WHEREAS**, pursuant to Section 4-115 of the Education Article of the Annotated Code  
21 of Maryland and Section 23.03.02.23 of the Code of Maryland Regulations (the “State Law”),  
22 real property owned by the Board that the Board has determined is no longer needed for school  
23 purposes must be transferred to the County; and  
24

25           **WHEREAS**, State Law also requires approval of the State Superintendent of Schools,  
26 the Interagency Committee for School Construction, and the Board of Public Works for any  
27 transfer of land to the County; and  
28

29           **WHEREAS**, On June 28, 2007, the Interagency Committee for School Construction  
30 approved the transfer of the Board Property to the County; and

1           **WHEREAS**, the Code of Maryland Regulations 23.03.02.23 requires that the transfer of  
2 the Board Property from the County to St. John Evangelist Baptist Church be considered by the  
3 Interagency Committee for School Construction and approved by the Board of Public Works;  
4 and

5  
6           **WHEREAS**, Section 4-115 of the Education Article of the Annotated Code of Maryland  
7 requires the State Superintendent of Schools to approve the acquisition of land; and

8  
9           **WHEREAS**, Section 4.203 of the Howard County Code authorizes the County Council  
10 to approve a transfer of Board property by resolution; and

11  
12           **WHEREAS**, the County Executive agrees to the proposed transfer; and

13  
14           **WHEREAS**, in this instance and in accordance with Section 4.203 of the Howard  
15 County Code, the County is acting as a conduit for the exchange of the Board Property and the  
16 St. John Property; and

17  
18           **WHEREAS**, property conveyed to the County as a conduit, pursuant to Section 4.203 of  
19 the Howard County Code, is deemed by operation of law not needed for a public purpose and,  
20 accordingly, is not subject to the requirements of Section 4.201 and 4.202 of the Howard County  
21 Code.

22  
23           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
24 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2007, that, in accordance with Section 4.203 of the  
25 Howard County Code, the Council approves the transfer of property owned by the Board of  
26 Education of Howard County described as being 10 acres of land located at the intersection of  
27 Tamar Drive and Maryland Route 175 identified on Tax Map 30, Grid 24, Parcel 289, Lot 581,  
28 known as “the Board Property”, as shown on the attached Exhibit A, to the County as a conduit  
29 for the transfer of the Board Property to St. John Evangelist Baptist Church in exchange for the  
30 conveyance to the Board of Education of 41.15 acres of land located at 2865 Marriottsville Road,  
31 Ellicott City and identified on Tax Map 16, Grid 16, Parcel 203, saving and excepting that parcel

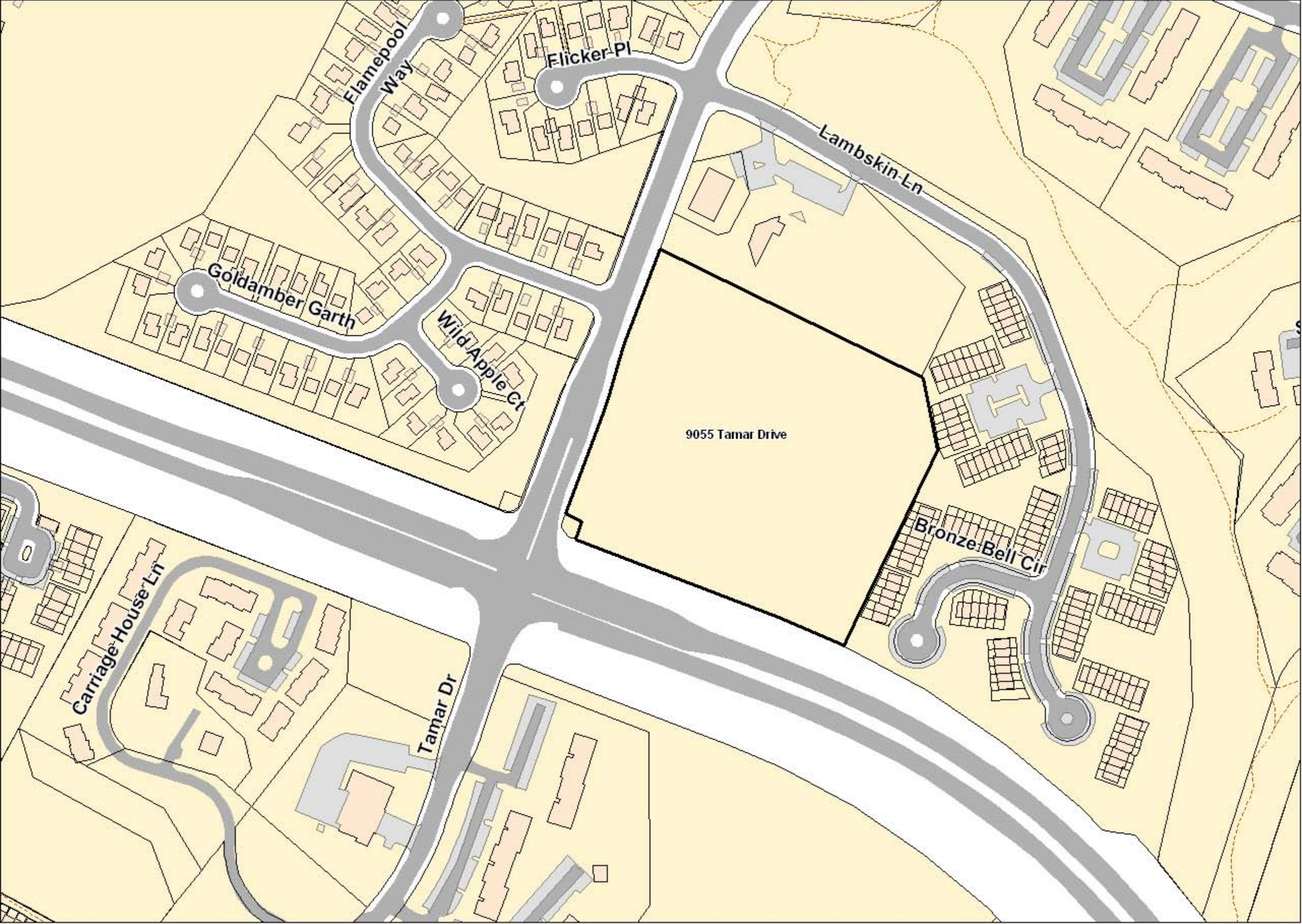
1 of land conveyed to Howard County, Maryland by virtue of a Deed dated September 5, 2003 and  
2 recorded among the Land Records of Howard County, Maryland in Liber 7680, Folio 259 known  
3 as the “St. John Property” as shown on the attached Exhibit B.

4

5 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,  
6 Maryland, that the County Executive is hereby authorized to take all actions necessary to  
7 effectuate the transfers of the Board Property and St. John Property as set forth in this  
8 Resolution.

9

10 **AND BE IT FURTHER RESOLVED** by the County Council of Howard County,  
11 Maryland, that if approval by the State Superintendent of Schools, the Interagency Committee  
12 for School Construction, and the Board of Public Works of the exchange of the Board property  
13 for the St. John Property as set forth in this Resolution is not granted on or before December 31,  
14 2007, this Resolution shall be null and void without the necessity of further action by the County  
15 Council.



Flamepool Way

Flicker Pl

Lamskin Ln

Goldamber Garth

Wild Apple Ct

9055 Tamar Drive

Bronze Bell Cir

Carriage House Ln

Tamar Dr



Marriottsville Rd

Baltimore National Pk

Turf Valley Golf Rd

Douglas Ave

2865 Marriotsville Road

Turf Valley Rd

Blowing Rock Ct

Shadowbrook Ct

Chainita Ct

Mount Snow Ct

Sedgfield Ct

Baltimore National Pk

Poland Springs Dr