# **County Council Of Howard County, Maryland**

2014 Legislative Session

Legislative Day No. 4

#### Resolution No. 35 - 2014

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

A RESOLUTION declaring that a portion of certain real property consisting of 0.6113 acres located on Guilford Road and owned by Howard County, Maryland is no longer needed by the County for a public purpose; authorizing the County Executive to convey the property to The Salvation Army in exchange for the acquisition of 0.6113 acres of adjacent property owned by The Salvation Army; waiving the advertising and bidding requirements of Section 4.201 of the County Code in connection with the property's conveyance; and providing that the County Executive is not bound to terminate the County's interest in the property if he finds that the property may have a further public use.

Introduced and read first time, 2014.		
	By order	Sheila M. Tolliver, Administrator
Read for a second time at a public hearing on	, 2014.	
	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This Resolution was read the third time and was Adopted, Adopted with	amendments	, Failed, Withdrawn, by the County Council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, 2014.		

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 County purchased property known as 10390 Guilford Road, Laurel, as
2	shown in the attached Exhibit A, in order to convey a portion of the property to the Howard
3	County Housing Commission to develop a portion of the property as a day resource center and
4	small efficiency apartment units; and
5	
6	WHEREAS, the County property is further described as 8.1041 acres of land identified
7	on Tax Map 47 as Parcel No. 59, acquired by the deed dated July 25, 2013 and recorded in the
8	Land Records for Howard County (the "Land Records") in Liber 15118, Folio 113; and
9	
10	WHEREAS, in order to provide access and parking to a portion of the County property,
11	0.6113 acres of the adjacent property owned by The Salvation Army is needed by the County;
12	and
13	
14	WHEREAS, the property owned by The Salvation Army is described as being 6.78 acres
15	of land located at 10350 Guilford Road, Laurel, as shown in the attached Exhibit A, and
16	identified on Tax Map 48 as Parcel No. 95 acquired by the deed dated September 21, 1995 and
17	recorded in the Land Records in Liber 3587, Folio 228; and
18	
19	WHEREAS, The Salvation Army has expressed a willingness to exchange 0.6113 acres
20	of its property, shown as Parcel D on the attached Exhibit B (the "Salvation Army Property") for
21	0.6113 acres of the County's property, shown as Parcel C on the attached Exhibit C (the "County
22	Property"); and
23	
24	WHEREAS, the acreage of the Salvation Army Property to be conveyed to the County is
25	the same acreage as the County Property to be conveyed to The Salvation Army; and
26	
27	WHEREAS, Section 4.201 "Disposition of real property" of the Howard County Code
28	authorizes the County Council to declare that property is no longer needed for public purposes
29	and also authorizes the County Council to waive advertising and bidding requirements for an
30	individual conveyance of such property upon the request of the County Executive; and
31	

- WHEREAS, the County Council has received a request from the County Executive to
   waive the advertising and bidding requirements in this instance for an individual conveyance of
   the County Property to The Salvation Army.
- 4

NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County,
Maryland, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, that the County Property, containing
approximately 0.6113 acres, shown as Parcel C on Exhibit C is no longer needed by the County
for public purposes as long as the County acquires the Salvation Army Property containing
approximately 0.6113 acres, shown as Parcel D on Exhibit B;

10

AND BE IT FURTHER RESOLVED that, having received a request from the County Executive and having held a public hearing, the County Council declares that the best interest of the County will be served by authorizing the County Executive to waive the usual advertising and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of the County Property to The Salvation Army in exchange for the acquisition of the Salvation Army Property to facilitate the construction of a day resource center and small efficiency apartment units;

AND BE IT FURTHER RESOLVED that, if the County Executive finds that the
 Property may have a further public use and should not be conveyed he is not bound to convey the
 property in accordance with this Resolution.

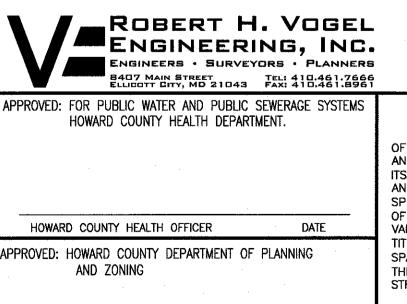


#### COORDINATE TABLE N0. NORTH EAST LEGEND 536907.2367 1366665.6067 206 23'00'30' 310 537464.6216 1366199.9994 96.66' 311 537731.3428 1366288.3074 3.27 312 537684.4556 1366429.9233 EXISTING FLOODPLAIN 313 537724.1977 1366509.3544 5 314 537564.6098 1366603.8231 315 537358.9622 1366746.0469 EXISTING WETLANDS 316 537111.1978 1366882.4699 317 537022.2398 1366920.2458 **WETLANDS** G) STREAM 176.3 **GENERAL NOTES** UFFER COORDINATES BASED ON NAD '83/91, MARYLAND COORDINATE SYSTEM AS PROJECTED BY HOWARD COUNTY, GEODETIC CONTROL STATION NO. 47F5 AND 48AB 47F5 N: 535,985.0412, E: 1,365,653.4555 48AB N: 538,384.4474, E: 1,366,415.7904 FLOODPLAIN THIS PLAT IS BASED ON A FIELD RUN BOUNDARY SURVEY PERFORMED BY ROBERT H. VOGEL ENGINEERING, INC. DATED JULY 2013. 🗩 DENOTES REBAR WITH CAP SET MARKED (PROP.MARK 21204). OF DENOTES IRON PIPE OR IRON BAR FOUND. DENOTES ANGULAR CHANGE IN BEARING OF BOUNDARY OR RIGHT-OF-WAY. DENOTES STONE OR MONUMENT FOUND. AREAS SHOWN HEREON ARE MORE OR LESS THE SUBJECT PROPERTY IS ZONED CE-CLI-CR PER THE FOCTOBER 6, 2013 COMPREHENSIVE ZONING PLAN. FLOODPLAIN STUDY PREPARED BY ROBERT H. VOGEL ENGINEERING, INC, DATED MAY 2010. 10. WETLANDS DELINEATION PREPARED BY ESA, INC, DATED APRIL 2010. 11. A NOISE STUDY IS NOT REQUIRED FOR THIS PROJECT. 12. WATER AND SEWER SERVICE WILL BE GRANTED UNDER THE PROVISIONS OF SECTION 18.122B OF THE HOWARD COUNTY CODE. PUBLIC WATER IS AVAILABLE UNDER CONTRACT NO.'S 652-W. PUBLIC SEWER IS AVAILABLE UNDER CONTRACT NO. 235-S. 13. TO THE BEST OF OUR KNOWEDGE, THERE ARE NO BURIAL GROUNDS OR CEMETERIES LOCATED ON THIS PROPERTY 14. THIS PLAT IS SUBJECT TO THE AMENDED FIFTH EDITION OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS. DEVELOPMENT OR CONSTRUCTION ON THIS PROPERTY MUST COMPLY WITH THE SETBACK AND BUFFER REGULATIONS IN EFFECT AT THE TIME OF SUBMISSION OF THE SITE DEVELOPMENT PLAN, WAIVER PETITION APPLICATION, OR BUILDING/GRADING PERMIT APPLICATION

- 15. 40' OTHER SETBACK FOR PARKING, LOADING DOCKS, OUTDOOR STORAGE, DUMPSTERS AND FENCING USED FOR SCREENING OR TO ENCLOSE THESE USES.
   16. THIS PLAN IS SUBJECT TO BA-08-027V, APPROVED JULY 30, 2008, FOR VARIANCES FROM SECTION 127.E.2.q(1) TO REDUCE THE 20' SETBACK FROM THE MARYLAND ROUTE 32 EXTERNAL PUBLIC STREET RIGHT-OF-WAY TO A MINIMUM OF 4 FEET FOR RETAINING WALLS, EXTERIOR STARS AND WALKWAYS; RIGHT-OF-WAY TO A MINIMUM OF 4 FEET FOR RETAINING WALLS, EXTERIOR STAIRS AND WALKWAYS; FROM SECTION 127.E.2.g(2) TO REDUCE THE 40' SETBACK FROM THE MARYLAND ROUTE 32 EXTERNAL PUBLIC STREET RIGHT-OF-WAY TO A MINIMUM OF 9 FEET FOR PARKING AND LOADING SPACES, AND; FROM SECTION 127.E.2.g(2) TO REDUCE THE 40' SETBACK FROM THE GUILFORD ROAD EXTERNAL PUBLIC STREET RIGHT-OF-WAY TO 15 FEET FOR PARKING USES RELATED TO THE OFFICE BUILDING. APPROVAL GRANTED; PROVIDED, HOWEVER, THAT THE VARIANCES WILL ONLY APPLY TO THE USES AND STRUCTURES BEING REQUESTED AND NOT TO ANY NEW STRUCTURE, USES, OR CHANGES IN USES ON THE SUBJECT PROPERTY OR TO ANY ADDITIONS.
- 17. NO GRADING, REMOVAL OF VEGETATIVE COVER OR TREES, PAVING, AND NEW STRUCTURES SHALL BE PERMITTED WITHIN THE REQUIRED WETLANDS, STREAM(S) OR THEIR BUFFERS, FOREST CONSERVATION EASEMENT AREAS AND 100 YEAR FLOOD PLAIN.
- 18. DEVELOPER RESERVES UNTO ITSELF, ITS SUCCESSORS AND ASSIGNS, ALL EASEMENTS SHOWN ON THIS PLAN FOR WATER, SEWER, STORM DRAINAGE, OTHER PUBLIC UTILITIES, LOCATED IN, ON, OVER AND THROUGH PARCEL N, ANY CONVEYANCES OF THE AFORESAID PARCEL N SHALL BE SUBJECT TO THE EASEMENTS HEREIN RESERVED, WHETHER OR NOT EXPRESSLY STATED IN THE DEEDS CONVEYING SAID PARCEL N. DEVELOPER SHALL EXECUTE AND DELIVER DEEDS FOR THE EASEMENTS HEREIN RESERVED TO HOWARD COUNTY. UPON COMPLETION OF THE PUBLIC UTILITIES AND THEIR ACCEPTANCE BY HOWARD COUNTY, THE COUNTY SHALL RECORD THE DEED OF EASEMENT IN THE LAND RECORDS OF HOWARD COUNTY.
- 19. PREVIOUS DPZ FILES : BA-08-027V, SDP-96-098
- 20. THIS SITE IS NOT LOCATED IN A HISTORIC DISTRICT. AND TO THE BEST OF OUR KNOWLEDGE AND BELIEF THERE ARE NO HISTORIC STRUCTURES LOCATED ON SITE. 21. EXISTING STRUCTURES LOCATED ON PARCEL A TO REMAIN
- 22. THE PROPERTY IS LOCATED WITHIN THE METROPOLITAN DISTRICT.
- 23. ALL ENVIRONMENTAL, FOREST CONSERVATION, STORMWATER MANAGEMENT, LANDSCAPING, APFO TRAFFIC STUDY, AND OTHER REQUIREMENTS WILL BE ADDRESSED AT THE TIME OF A NEW SITE DEVELOPMENT PLAN OR MODIFICATIONS FOR PARCELS A, B AND C.
- 24. A DECLARATION OF INTENT FOR REAL ESTATE TRANSACTIONS ADDRESSING FOREST CONSERVATION OBLIGATION FOR THIS PLAT HAS BEEN SUBMITTED.

# AREA TABULATION

NUMBER OF PARCELS TO BE RECORDED	3
AREA OF PARCELS TO BE RECORDED	6.7380 AC
AREA OF ROADWAY TO BE RECORDED	0.0000 AC
AREA TO BE RECORDED	6.7380 AC



**OWNER / DEVELOPER** THE SALVATION ARMY C/O MAJOR WILLIAM MADISON 3304 KENELWORTH AVENUE BLADENSBERG, MD. 20710

301-000-0000

		•
		CURV
CURVE NO.	RADIU	LENGTH
1	1315.00'	185.59'
2	1392.39'	283.33'

WITNESS

# **OWNER'S CERTIFICATE**

31

67

E 1.366,100

WE, THE SALVATION ARMY, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, ADOPT THIS FINAL PLAT OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING. ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT 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 OR STREET RIGHTS-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; 2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE OF THE BEDS OF THE STREETS AND/OR ROADS, THE FLOOD PLAINS AND OPEN SPACE WHERE APPLICABLE AND FOR GOOD AND VALUABLE CONSIDERATION, HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS AND/OR ROADS AND FLOOD PLAINS, 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: 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 DAY OF , 2014.

CHIEF, DEVELOPMENT ENGINEERING DIVISION

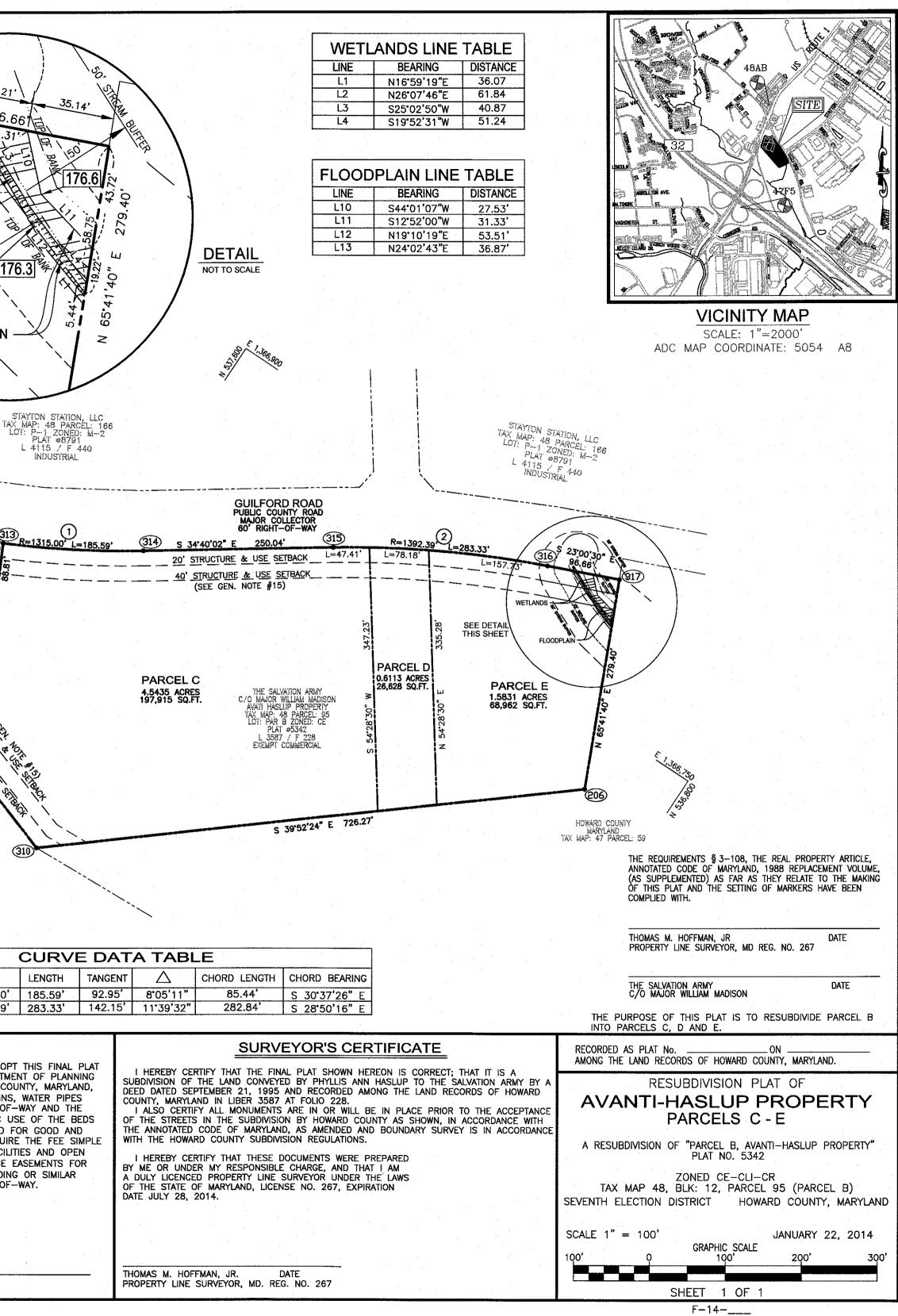
DIRECTOR

THE SLAVATION ARMY C/O MAJOR WILLIAM MADISON

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DATE

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#### **GENERAL NOTES**

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COORDINATE					
N0.	NORTH				
206	536907.2367	136			
305	537033.6559	136			
306	536688.3102	136			
307	536523.7559	136			
308	536777.6096	136			
309	536940.9770	136			
310	537464.6216	136			
319	537026.1674	136			
320	536971.1345	136			
321	536756.9192	136			
322	536702.7456	136			
323	536684.0727	136			
		•			

THE SALVATION ARM

C/O MAJOR WILLIAM MADISON AVATI HASLUP PROPERTY TAX MAP: 48 PARCEL: 95 LOT: PAR B ZONED: CE

L 3587 / F 228 EXEMPT COMMERCIA

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AREA OF ROADWAY TO BE RECORDED	0.1459 AC
AREA TO BE RECORDED	8.1041 AC

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VED:	FOR	PUB	LIC	WATER	AND	PUBLI	C SE	WERAC	SE S	SYSTE	MS	

APPROV HOWARD COUNTY HEALTH DEPARTMENT.

HOWARD COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS
3430 COURTHOUSE DRIVE
ELLICOTT CITY, MD, 21043
410-313-0000

**OWNER / DEVELOPER** 

#### **OWNER'S CERTIFICATE**

E 1,366,250

PARCEL C

0.6113 ACRES 26,628 SQ.FT.

39'52'24" V

N 02'51'41.

WE, HOWARD COUNTY, MARYLAND, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, ADOPT THIS FINAL PLAT OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT 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 OR STREET RIGHTS-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; 2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE OF THE BEDS OF THE STREETS AND/OR ROADS, THE FLOOD PLAINS AND OPEN SPACE WHERE APPLICABLE AND FOR GOOD AND VALUABLE CONSIDERATION, HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS AND/OR ROADS AND FLOOD PLAINS, 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; 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 DAY OF , 2014.

CHIEF,	DEVELOPMENT	ENGINEERING	DIVISION	DATE

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING

HOWARD COUNTY HEALTH OFFICER

AND ZONING

DIRECTOR

HOWARD COUNTY, MARYLAND DEPARTMENT OF PUBLIC WORKS

K:\Projects\06-72\SURVEY\dwg\RECORD PIAT\HOWARD COUNTY\RPLAT.1.dwg, 3/10/2014 10:50:46 AM, Oce PlotWove 350.cc3.

DATE

DATE

WITNESS

