

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 4

Resolution No. 36 -2014

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

A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to convey certain real property owned by the County shown as Parcel A, containing approximately 1.7386 acres to the Howard County Housing Commission; 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 land if he finds that the land 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This Resolution was read the third time and was Adopted ___, Adopted with amendments ___, Failed ___, Withdrawn ___, by the County Council on _____, 2014.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 is the owner of real property as described as 8.1041 acres of
2 land identified on Tax Map 47 as Parcel No. 59, acquired by the deed dated July 25, 2013 and
3 recorded in the Land Records for Howard County (the “County Property”) in Liber 15118, Folio
4 113; and

5
6 **WHEREAS**, in order to construct a day resource center and small efficiency apartments
7 on the property, a portion of the County Property needs to be conveyed to the Howard County
8 Housing Commission (the “Commission”); and

9
10 **WHEREAS**, the Commission has requested that a portion of the County Property shown
11 as Parcel A on the subdivision plat entitled “Guilford Road Parcel A-C” and containing 1.7386
12 acres, as shown in the attached Exhibit A, be conveyed to the Commission in accordance with
13 Section 4.201 of the Howard County Code; and

14
15 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
16 conveyance of the County Property; and

17
18 **WHEREAS**, Section 4.201, “Disposition of Real Property,” of the Howard County Code
19 authorizes the County Council to declare that property is no longer needed for public purposes
20 and also authorizes the County Council to waive advertising and bidding requirements for an
21 individual conveyance of real property upon the request of the County Executive; and

22
23 **WHEREAS**, the County Council has received a request from the County Executive to
24 waive the advertising and bidding requirements in this instance for the conveyance of the real
25 property shown as Parcel A and containing 1.7386 acres to the Howard County Housing
26 Commission.

27
28 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
29 Maryland, this ____ day of _____, 2014, that the real property shown as
30 Parcel A on the subdivision plat entitled “Guilford Road Parcel A-C” and containing 1.7386

1 acres is conveyed to the Howard County Housing Commission, as shown on the attached Exhibit
2 A.

3
4 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
5 Executive and having held a public hearing, the County Council declares that the best interest of
6 the County will be served by authorizing the County Executive to waive the usual advertising
7 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
8 the property to the Howard County Housing Commission.

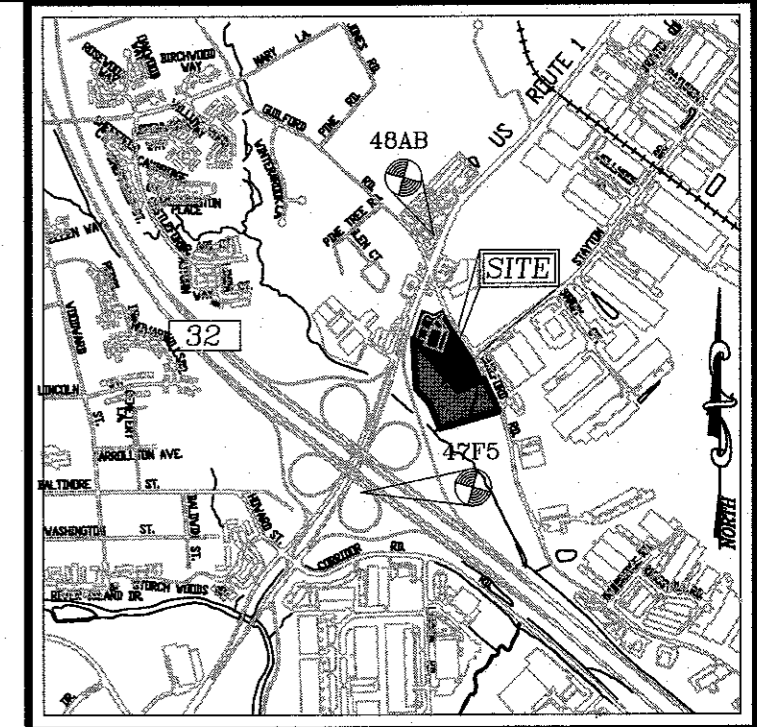
9
10 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land
11 may have a further public use and that the County Property should not be conveyed he is not
12 bound to convey the County Property in accordance with this Resolution.

GENERAL NOTES

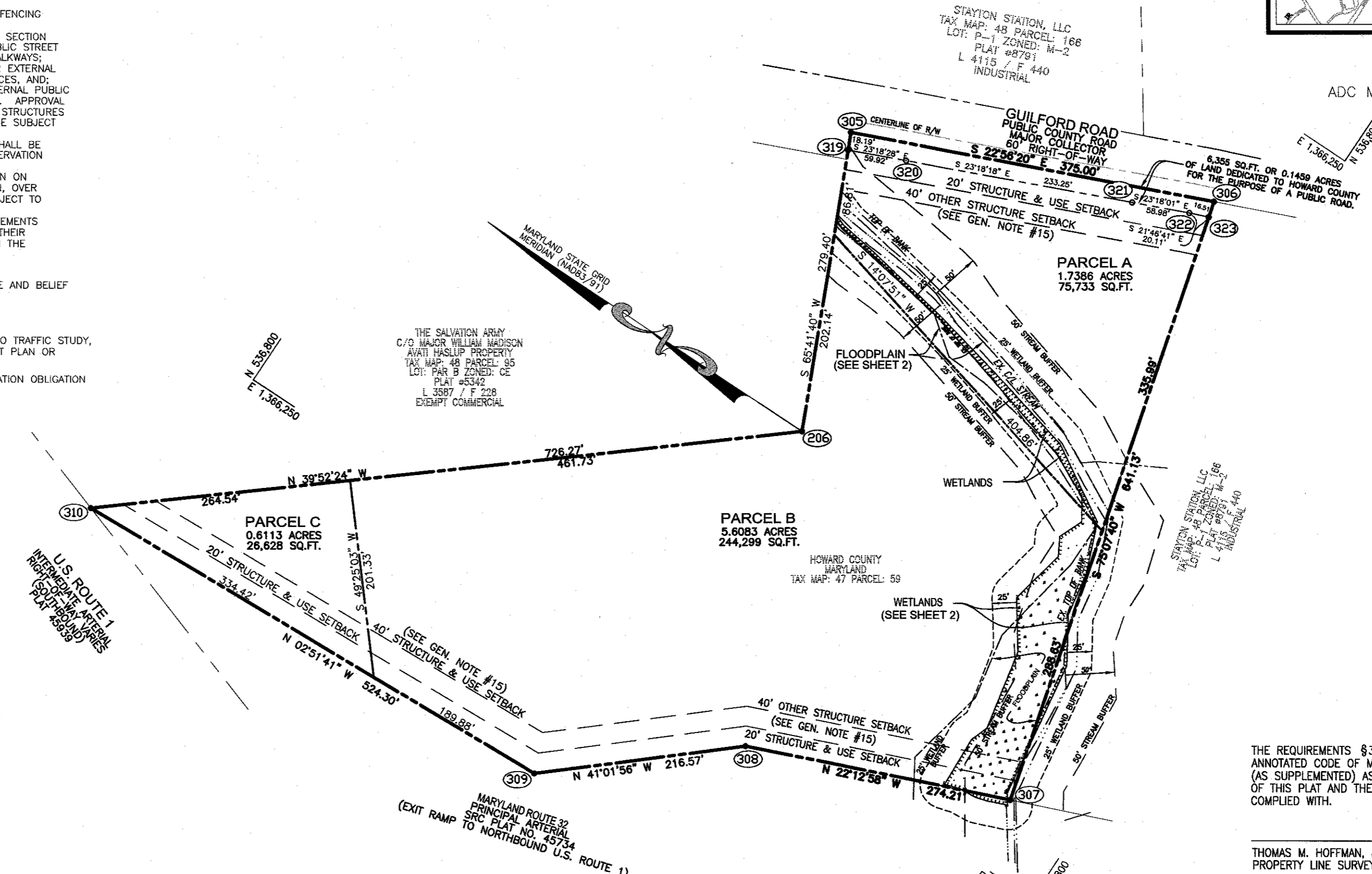
- COORDINATES BASED ON NAD '83/91, MARYLAND COORDINATE SYSTEM AS PROJECTED BY HOWARD COUNTY, GEODETIC CONTROL STATION NO. 47F5 AND 48AB
47F5 N: 535,985.0412, E: 1,365,653.4555
48AB N: 538,384.4474, E: 1,366,415.7904
- THIS PLAT IS BASED ON A FIELD RUN BOUNDARY SURVEY PERFORMED BY ROBERT H. VOGEL ENGINEERING, INC. DATED JULY 2013.
- Ø DENOTES REBAR WITH CAP SET MARKED (PROP.MARK 21204).
- ⊙ 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 OCTOBER 6, 2013 COMPREHENSIVE ZONING PLAN.
- FLOODPLAIN STUDY PREPARED BY ROBERT H. VOGEL ENGINEERING, INC. DATED MAY 2010.
- WETLANDS DELINEATION PREPARED BY ESA, INC. DATED APRIL 2010.
- A NOISE STUDY IS NOT REQUIRED FOR THIS PROJECT.
- 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.
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO BURIAL GROUNDS OR CEMETERIES LOCATED ON THIS PROPERTY.
- 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.
- 40' OTHER SETBACK FOR PARKING, LOADING DOCKS, OUTDOOR STORAGE, DUMPSTERS AND FENCING USED FOR SCREENING OR TO ENCLOSE THESE USES.
- THIS PLAN IS SUBJECT TO BA-08-027V, APPROVED JULY 30, 2008, FOR VARIANCES FROM SECTION 127.E.2.a(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 STAIRS AND WALKWAYS; FROM SECTION 127.E.2.a(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.a(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.
- 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.
- 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.
- PREVIOUS DPZ FILES : BA-08-027V, SDP-96-098
- 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.
- EXISTING STRUCTURES LOCATED ON PARCEL A TO REMAIN.
- THE PROPERTY IS LOCATED WITHIN THE METROPOLITAN DISTRICT.
- 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.
- A DECLARATION OF INTENT FOR REAL ESTATE TRANSACTIONS ADDRESSING FOREST CONSERVATION OBLIGATION FOR THIS PLAT HAS BEEN SUBMITTED.

COORDINATE TABLE

NO.	NORTH	EAST
206	536907.2367	1366665.6067
305	537033.6559	1366945.5231
306	536688.3102	1367091.6784
307	536523.7559	1366472.0256
308	536777.6096	1366368.3463
309	536940.9770	1366226.1715
310	537464.6216	1366199.9994
319	537026.1674	1366928.9422
320	536971.1345	1366952.6519
321	536756.9192	1367044.9299
322	536702.7456	1367068.2610
323	536684.0727	1367075.7214



VICINITY MAP
SCALE: 1"=2000'
ADC MAP COORDINATE: 5054 A8



LEGEND

- EXISTING FLOODPLAIN
- EXISTING WETLANDS

THE REQUIREMENTS §3-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1988 REPLACEMENT VOLUME, (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

THOMAS M. HOFFMAN, JR. DATE
PROPERTY LINE SURVEYOR, MD REG. NO. 267

HOWARD COUNTY, MARYLAND DATE
DEPARTMENT OF PUBLIC WORKS

AREA TABULATION

NUMBER OF PARCELS TO BE RECORDED	3
AREA OF PARCELS TO BE RECORDED	7.9582 AC
AREA OF ROADWAY TO BE RECORDED	0.1459 AC
AREA TO BE RECORDED	8.1041 AC

ROBERT H. VOGEL ENGINEERING, INC.
ENGINEERS • SURVEYORS • PLANNERS
8407 MAIN STREET
ELICOTT CITY, MD 21043 TEL: 410.461.7666 FAX: 410.461.8961

OWNER / DEVELOPER
HOWARD COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS
3430 COURTHOUSE DRIVE
ELICOTT CITY, MD, 21043
410-313-0000

APPROVED: FOR PUBLIC WATER AND PUBLIC SEWERAGE SYSTEMS
HOWARD COUNTY HEALTH DEPARTMENT.

HOWARD COUNTY HEALTH OFFICER DATE

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING
AND ZONING

CHIEF, DEVELOPMENT ENGINEERING DIVISION DATE

DIRECTOR DATE

OWNER'S CERTIFICATE

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 ERRECTED ON OR OVER THE SAID EASEMENTS AND RIGHTS-OF-WAY.

WITNESS OUR HANDS THIS _____ DAY OF _____, 2014.

HOWARD COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS

WITNESS

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF THE LAND CONVEYED BY TSC/ROUTE 32 LLC TO HOWARD COUNTY, MARYLAND, DEPT. OF PUBLIC WORKS BY DEED DATED JULY 31, 2013 AND RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY IN LIBER 15118, FOLIO 113. I ALSO CERTIFY ALL MONUMENTS ARE IN OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE SUBDIVISION BY HOWARD COUNTY AS SHOWN, IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED AND BOUNDARY SURVEY IS IN ACCORDANCE WITH THE HOWARD COUNTY SUBDIVISION REGULATIONS.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENCED PROPERTY LINE SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 267, EXPIRATION DATE JULY 28, 2014.

THOMAS M. HOFFMAN, JR. DATE
PROPERTY LINE SURVEYOR, MD. REG. NO. 267

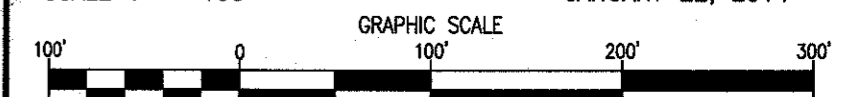
RECORDED AS PLAT No. _____ ON _____
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

**SUBDIVISION PLAT OF
GUILFORD ROAD
PARCELS A - C**

A SUBDIVISION OF T.M. 47, PARCEL 59
LIBER 15118, FOLIO 113
ZONED CE-CLI-CR

TAX MAP 47, BLK: 12, PARCEL 59
SEVENTH ELECTION DISTRICT HOWARD COUNTY, MARYLAND

SCALE 1" = 100' JANUARY 22, 2014



SHEET 1 OF 2

F-14-