

County Council Of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 12

Resolution No. 142 -2020

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

A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that land containing 0.188 acres owned by Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to convey, at no cost, fee simple title to the Property to the State of Maryland; 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 Property if he finds that the County may have a use for the Property.

Introduced and read first time September 8, 2020.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on September 21, 2020.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on October 5, 2020.

Certified By Diane Schwartz Jones
Diane Schwartz Jones, 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**, the County is the owner of the 0.188 acres of land shown as “Howard
2 County, Maryland Parcels 1, 2 and 3, Item No. 114924”) on the State of Maryland Department of
3 Transportation State Highway Administration State Roads Commission’s (the “State’) Plat
4 numbered 61705, a copy of which is attached hereto as Exhibit A (the “Property”) which was
5 acquired by the County by deed dated September 12, 2019 and recorded among the Land
6 Records of Howard County, Maryland at Book: 18884, Page: 214 for the construction of high
7 school 13 and the County’s water tower; and

8
9 **WHEREAS**, as part of the construction for high school 13 and the County’s water tower,
10 the County will need to convey a total of 0.188 acres along Route 1 to the State for the
11 construction of the intersection at Ridgely’s Run Road and for a new southbound turn lane and
12 shared use path as follows:

13 1. Parcel 1, shown in purple in the attached Exhibit A, is needed for the new
14 intersection for Ridgely’s Run Road including clearances for curb radii as well as the future
15 traffic signal equipment, and all will be part of the State-owned portion of the intersection;

16 2. Parcels 2 and 3, shown in green and orange, respectively, in the attached Exhibit
17 A, are required to fit the new southbound right turn lane (required by the traffic study) and
18 shared- use path as required by the State; and

19
20 **WHEREAS**, the conveyance is necessary as part of the State’s Access Permit application
21 process, for the construction of the roadway leading to high school 13 and County’s water tower;
22 and

23
24 **WHEREAS**, the County, has determined that the Property is no longer needed by the
25 County for public purposes; and

26
27 **WHEREAS**, Section 4.201 “Disposition of real property” of the Howard County Code
28 authorizes the County Council to declare that real property is no longer needed for public
29 purposes and authorizes the County Council to waive advertising and bidding requirements for
30 an individual conveyance of real property upon the request of the County Executive; and

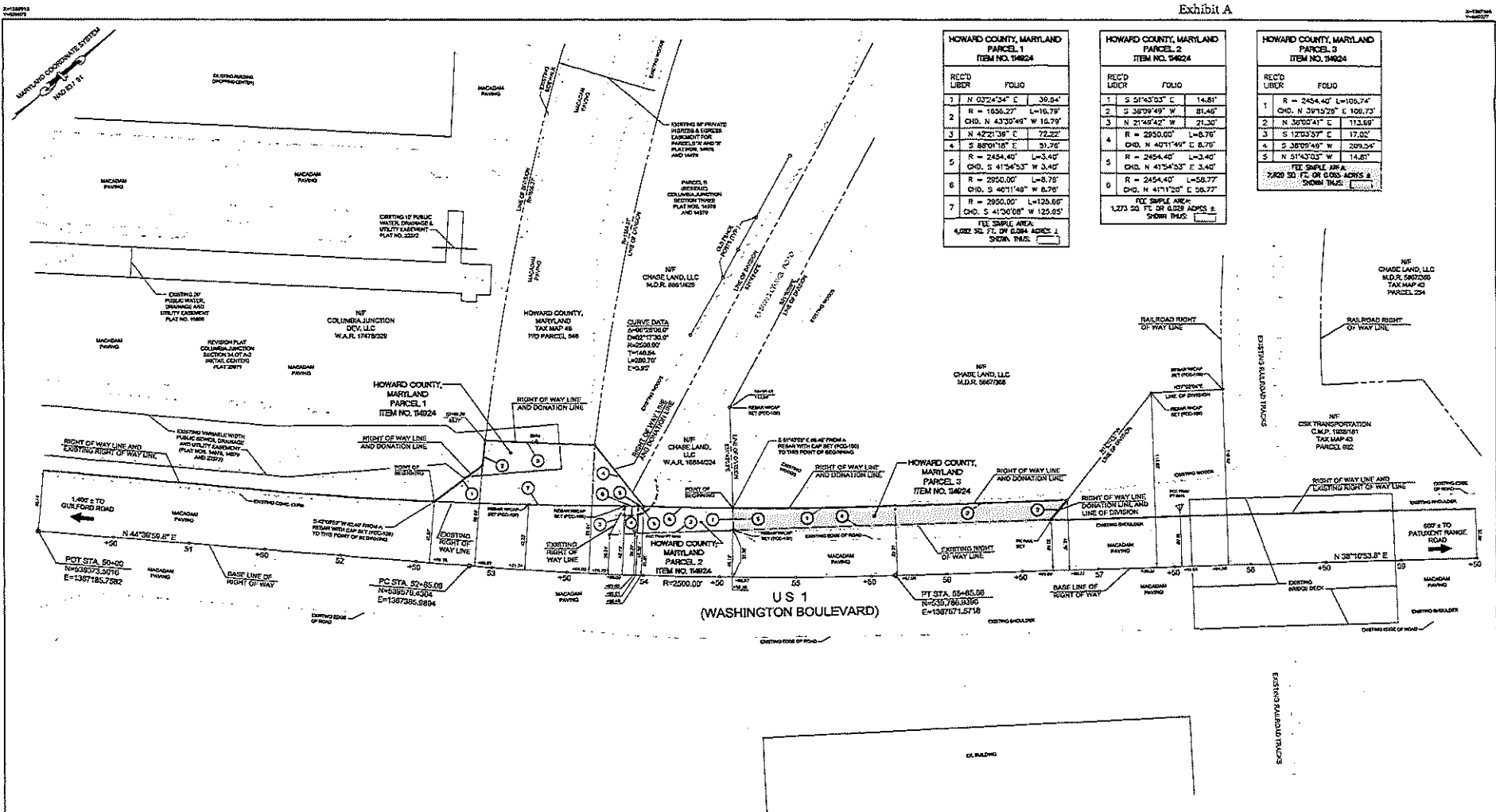
1 **WHEREAS**, the County Council has received a request from the County Executive to
2 waive the advertising and bidding requirements in this instance for the conveyance of the
3 Property to the State.

4
5 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
6 Maryland, this 5th day of October, 2020, that the Property, containing 0.188 acres
7 as shown in the attached Exhibit A, is no longer needed by the County for public purposes.

8
9 **AND BE IT FURTHER RESOLVED**, that County Executive may convey fee simple
10 title to the Property to the State.

11
12 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
13 Executive and having held a public hearing, the County Council declares that the best interest of
14 the County will be served by authorizing the County Executive to waive the usual advertising
15 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
16 the Property to the State.

17
18 **AND BE IT FURTHER RESOLVED** that if the County Executive finds that all or a
19 portion of the Property may have a further County public use then he is not bound to convey the
20 Property in accordance with this Resolution.



HOWARD COUNTY, MARYLAND PARCEL 1 ITEM NO. 14624		
REC'D LIBER	FOLIO	
1	N 03°24'34" E	39.64'
2	R = 1656.27' L=16.79'	
3	N 43°30'49" W	10.79'
4	N 42°21'38" E	72.22'
5	S 89°01'18" E	31.76'
6	R = 2454.40' L=3.40'	
7	CHD. N 41°54'53" W	3.40'
8	R = 2950.00' L=8.76'	
9	CHD. S 40°11'48" W	8.76'
10	R = 2950.00' L=120.60'	
11	CHD. S 41°00'08" W	120.60'

HOWARD COUNTY, MARYLAND PARCEL 2 ITEM NO. 14624		
REC'D LIBER	FOLIO	
1	S 51°43'03" E	14.81'
2	S 38°09'49" W	81.40'
3	N 21°48'42" W	21.30'
4	R = 2950.00' L=6.76'	
5	CHD. N 40°11'48" W	6.76'
6	R = 2454.40' L=3.40'	
7	CHD. N 41°54'53" E	3.40'
8	R = 2950.00' L=8.76'	
9	CHD. S 40°11'48" W	8.76'
10	R = 2454.40' L=120.60'	
11	CHD. S 41°00'08" W	120.60'

HOWARD COUNTY, MARYLAND PARCEL 3 ITEM NO. 14624		
REC'D LIBER	FOLIO	
1	R = 2454.40' L=106.74'	
2	CHD. N 39°19'28" E	106.73'
3	N 38°07'41" E	113.69'
4	S 12°03'57" E	17.02'
5	S 38°09'49" W	209.34'
6	S 21°43'03" W	14.80'

BOOK	PART OF PLAT	DATE	REVISION

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
STATE ROADS COMMISSION

RIGHT OF WAY PROJECT: US 1 (WASHINGTON BOULEVARD) BETWEEN GULFORD ROAD AND PATENTED RANGE ROAD

RIGHT OF WAY PROJECT NO.: RR-001-000-713

ISSUED: J.A.C. 12-20-22 FEDERAL AID PROJECT NO. _____

CHIEF, PLATS & SURVEYS DIVISION

SCALE: 1" = 30'

DONATION PLAT No. 61705

SURVEYOR'S CERTIFICATION

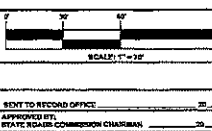
THE RIGHT OF WAY LINES AND LINES OF DIVISION SHOWN HEREON WERE ESTABLISHED FROM RECORD AND PLATS OF RECORD AND FIELD SURVEYS. THE UNDERSIGNED HAS IN RESPONSIBLE CHARGE OF THE PREPARATION OF THIS PLAT AND THE BOUNDING WORK REFLECTED ON IT. THIS PLAT WAS DEVELOPED IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN COMAR REGULATION 09.03.02.

MARKL ROSEL
PROPERTY LINE SURVEYOR
NO. REG. NO. 329
EXP. DATE OCTOBER 4, 2020
DATE 7/18/20



LEGEND OF PROPOSED EASEMENTS

- TEMPORARY CONSTRUCTION EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
- REVERTIBLE EASEMENT FOR SUPPORTING SLOPES.
- PERMANENT EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON THIS PLAT.
- PERMANENT EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT.
- PERMANENT EASEMENT TO DISCHARGE FLOW OF WATER FROM OR TO AN EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.
- PERMANENT EASEMENT TO DISCHARGE FLOW OF WATER FROM EXISTING GROUPS.



Office of the County Auditor
Auditor's Analysis

Council Resolution No. 141-2020

Introduced: September 8, 2020

Auditor: Michael A. Martin

Fiscal Impact:

The fiscal impact of this legislation cannot be determined at this time. *We have asked Department of Public Works if they obtained a current appraisal for these parcels. They have not yet responded to our request.*

According to the Department of Public Works (DPW), the 0.188 acres being conveyed to the State is comprised of three separate, County-owned parcels noted below:

SDAT Parcel ID#	Total Acres	Purchase Amount	Transfer Acres
06-401856	1.45	\$ 3,930,000	0.119
06-447945	2.46	35,098	0.029
06-572529	0.04	0	0.04
TOTAL	3.95	\$ 3,965,098	0.188

Purpose:

This legislation will authorize the County Executive to convey, at no cost, 0.188 acres of County property to the State of Maryland in order to construct the roadway and intersection for access at two sites (the Guilford Elevated Water Storage Tank and High School #13).

According to the Administration, construction is required by the Maryland Department of Transportation (MDOT) State Highway Administration (SHA) for the County to receive the appropriate SHA Access Permits for these locations.

Other Comments:

The construction of the roadway and intersection will be completed by the County under Capital Project W8262. The parcels of land were acquired via Capital Project C0352.