

**Sayers, Margery**

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**From:** Emily Ranson <emranson@gmail.com>  
**Sent:** Monday, December 7, 2020 2:09 PM  
**To:** Ball, Calvin  
**Cc:** CouncilMail  
**Subject:** Columbia Flier Building Resolution

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Executive Ball and the Howard County Council,

I'm writing to offer my support for making sure that the Columbia Flier property includes an easement to ensure the continued use of the shared use pathway that connects Little Patuxent Parkway and Downtown Columbia from Wilde Lake Village Center and the schools through the building's parking lot.

Please amend the resolution for passage and insert the following:

**“AND BE IT FURTHER RESOLVED that the County Executive shall not convey the Property unless the purchaser agrees to establish and mark for the public an easement for a trail that connects through the Property to Wilde Lake Middle School.”**

Thank you! These easements and multi-use pathway connections are great ways to ensure safe ways to move around the county, and losing access to this connection would be unfortunate.

If anything, we should be continually looking for where easements like this can exist to create low-stress, low-traffic alternatives to main thoroughfares.

Best,

Emily Ranson  
Ellicott City, MD

## Sayers, Margery

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**From:** klmcaliley@gmail.com  
**Sent:** Monday, December 7, 2020 1:46 PM  
**To:** Ball, Calvin; CouncilMail  
**Subject:** URGENT: CR 174-2020 Columbia Flier Building Resolution Needs Easement Amendment for Continued Public Access in Wilde Lake Village

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Executive Calvin Ball and Howard County Council,

It has come to our attention that Council Resolution 174-2020, authorizing the County Executive sale of real property known as the "Flier Building," does not contain language that grants the rights of residents, pedestrians, community police, students, runners, cyclists and other existing users to continued access through the property from the ADA compliant Wilde Lake Middle School Trail (GPS Maps pathway listing).

Please add the suggested amendment language to the resolution regarding an accessibility easement. Images and history are attached.

Thank you,  
Kevin

*Kevin McAliley*  
Chair, Wilde Lake Village Board of Directors  
Wilde Lake Community Association  
Slayton House, [10400 Cross Fox Lane, Columbia, MD 21044](#)  
[410/336-6593](#) (cell/text)  
[klmcaliley@gmail.com](mailto:klmcaliley@gmail.com)  
[Facebook](#) - [Twitter](#) - [Website](#)  
[Wilde Lake Village Center](#)  
[Wilde Lake Renovations](#) - *YouTube interview*

**COVID-19 Update –**  
Many of our tenants have temporarily changed their hours and accessibility to meet emergency state and local guidelines. Please contact them directly for details.

Regarding:

### General

Council Resolution 174-2020 - A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive's sale of real property known as the "Flier Building" owned by Howard County, Maryland, containing approximately 2.159 acres, and located at 10750 Little Patuxent Parkway, Maryland; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code so that the property can be listed with Chartwell Enterprises; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use. (No expiration date)

Proposed:  
**Amendment \_\_\_\_ to Council Resolution No. 174-2020**

BY: Deb Jung

Legislative Day No. \_\_\_\_

Date

: \_\_\_\_\_

Amendment No. \_\_\_\_

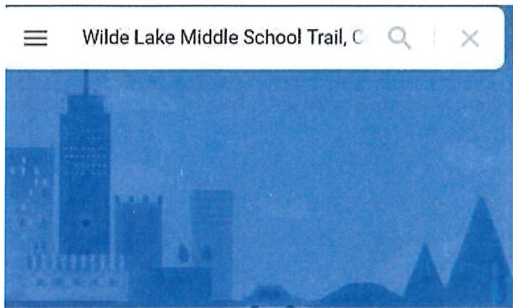
*(This Amendment would set terms and conditions on the final sale of the Flier Building.)*

On page 2, at line 13, insert:

“**AND BE IT FURTHER RESOLVED** that the County Executive shall not convey the Property unless the purchaser agrees to establish and mark for the public an easement for a trail that connects through the Property to Wilde Lake Middle School.



Image of the official Wilde Lake Middle School Trail



### Wilde Lake Middle School Trail

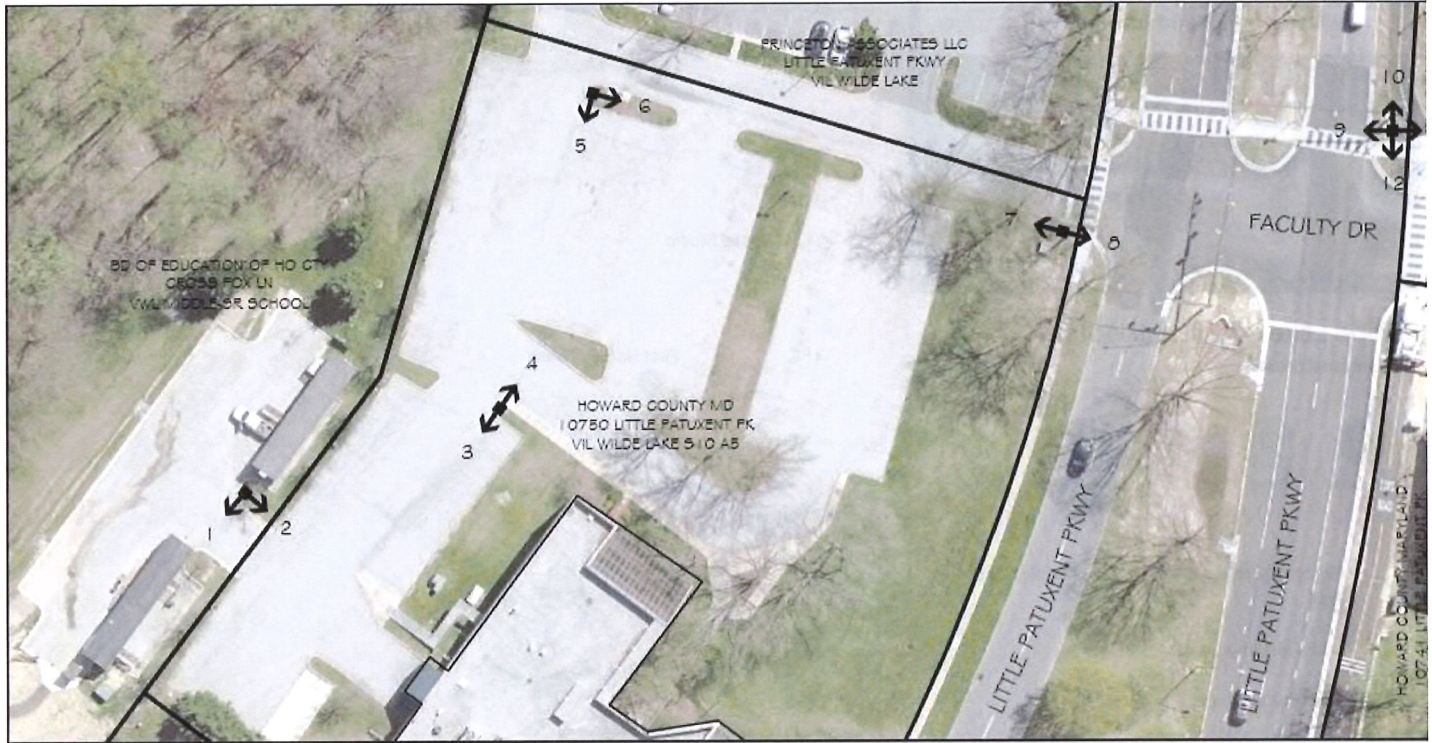
Columbia, MD 21044

- Directions
- Save
- Nearby
- Send to your phone
- Share

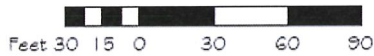
- Report a problem on Wilde Lake Middle School Trail
- Add a missing place
- Add your business



Google Maps WLMS Trail



Connection Between the  
Downtown Columbia Trail  
and Wilde Lake  
Village Center



Sign Number	Sign Text
1	Wilde Lake Village Ctr
2	Downtown Columbia Trail
3	Wilde Lake Village Ctr
4	Downtown Columbia Trail
5	Wilde Lake Village Ctr
6	Downtown Columbia Trail
7	Wilde Lake Village Ctr
8	Downtown Columbia Trail
9	Wilde Lake Village Ctr 0.5
10	Symphony Woods 0.9; County Library 1.1; Blandair Park ;
11	Howard Community College; Comm. College Station
12	Howard Community College 0.2; County Gen Hospital 0.5

Signage suggested by County for Wilde Lake Connectivity via pathway through Flier property.

**HISTORY:**

I am not sure why during the public meetings and question and answer sessions over the years, the easement for access was always responded to with an affirmative. Eventually it has been stated that the easement existed for this popular community running and cycling access point for students from the New Downtown Columbia to their future middle and high school via the Downtown Columbia Trail [Downtown Columbia Trail - Toole Design](#); the Howard County Striders weekly runs; personal trainer Darrell Gough’s Basic Training Class (Basic Pals) runs; Howard County Cycle2Health bicycle rides (Larry Schoen uses this trail for his popular senior tours); and so many others.

Unintentionally closing off access to the public through this property has been a concern and presented at numerous budget hearings from many groups. Thankfully, Howard County Office of Transportation’s Chris Eatough has been an advocate for the connectivity between Wilde Lake Village Center and Little Patuxent Parkway since the pathway’s very first brainstorming accessibility walking tour and its eventual inception (even geo-positioning it online).

Howard Community College board and leaders are the guest presenters at the Monday, 12-7-20 Wilde Lake Village Board meeting at 6:30pm where they will be showing plans for the new Math and Athletic Building. We will be discussing Wilde Lake Village students, adults and youth to their campus via continued access and usage through the Columbia Flier Building property. College staff were also on the initial walking tours and implementation of the Wilde

Lake Middle School Trail due to their desire for accessibility and receptivity of the renovated WL Village Center to their college campus. The village center offers their students and faculty pedestrian and cycling access to personal and business services from restaurants to UPS (a commercial zone bringing vibrancy to WL). The Howard County Office of Transportation has even had discussions with the college station, WL, Vista Apartments and Kimco regarding possible future Bike Share mobility between these locations via the Columbia Flier Property access point.

In case no one has seen it recently, here is a picture of the official Howard County budgeted, approved and built pathway (approximately \$40K because of the accompanying sustaining wall and fencing) that efficiently and effectively leads the Howard County Community Outreach Police units (via bicycle and all-terrain vehicles) to Wilde Lake Middle School, Wilde Lake High School, Wilde Lake Village Center, The Rouse Theatre, The Columbia Swim Center, The Columbia Tennis Club, Vista Wilde Lake Apartments, Enterprise's Roslyn Rise Apartments, Slayton House Theatre, Wilde Lake Community Association, and numerous highly attended after-school events, from their headquarters location directly across the street from the old Columbia Flier Building on Little Patuxent Parkway [Howard County, Maryland > Departments > Police > Community Outreach \(howardcountymd.gov\)](#).

## Sayers, Margery

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**From:** joel hurewitz <joelhurewitz@gmail.com>  
**Sent:** Sunday, December 6, 2020 4:03 PM  
**To:** CouncilMail  
**Subject:** Fwd: CR174-2020 Flier Building  
**Attachments:** 30 Foot Easement Liber 631 F 92 1972.pdf; Confirmatory Deed 1977 Howard Financing to Columbia Flier Building Assoc (Ingress Easement cited).pdf; Deed Howard Financing to Columbia Flier Liber 803 F 515 1976.pdf; WLMS WLHS Flier Building and HCC 1993.pdf; Plat 3646 (24 Ft Ingress Easement) MSA\_C2466\_486.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council,

I wish to express my support for Amendment 1 to CR174-2020. It is a good start, but for the reasons expressed herein and as a follow-up to my oral testimony on CR174-2020, legally recording the easement and correcting the other plats and easements would also be prudent.

There are generally three easements ingress/egress; parking lot extension; and pedestrian pathway. Because these easements overlap one another in various places, during this past year, it appears that the County has confused and conflated them at various times.

I am unaware of the private covenant on the building cited in the Auditor's fiscal analysis being previously mentioned. It is not included in the RFP; this would seem to have a material impact on the ability of the buyer to redevelop the property. The only thing that is mentioned to be preserved are "the mature trees on site." Page 8 of 15.

Some of the relevant documents which I mentioned in my testimony are discussed in more detail below:

### **HCPSS License Agreement with Patuxent Publishing Company**

8/1/2003 Terminated 7/31/2013

See MPIA 2021-30 <https://mpia.hcpss.org/node/1146>

Patuxent paid \$50,000 for parking area

After sharing this information with Melanie Bishop, Ms. Bishop replied on Aug 25, 2020 "It was during our phone conversation I learned that this parking lot was used by the "then" owners of the Flier property and prior to the County's ownership."

Prior to this agreement, it appears that the parking area was unpaved. The FDP was updated to reflect the change in credited open space due to the paved parking area. <https://data.howardcountymd.gov/scannedpdf/FDP/45-A-2.PDF> page 4. The 1993 aerial photo shows what appears to be a day when the schools were not in session; the parking lots at the Wilde Lake schools and HCC are generally empty, while the Flier Building parking lot extension is full. Thus, the parking lot extension was for the benefit of the publishing company and not the school. However, the details of the private 24-foot easement have not been shared publicly. It is unclear who the parties even were in this agreement. Without seeing its language, it remains unclear why Patuxent Publishing would have needed an easement over its own property to reach the parking lot extension.

### **Plat 16347**

2003



(Attached To CR 174)

30 foot ingress/egress easement – The plat has an incorrect "Liber 651 Folio 92." It should be "Liber 631 Folio 92."

**Declaration of Easement**

Liber 631 Folio 92

12/1/1972 30 foot ingress/egress easement

This easement of course predated by decades the more recent pedestrian/bike path easement.

**Plat 3646**

Shows the ingress/egress easement as 24 feet not the 30 feet as in Plat 16347 and is also 30 feet in the deeds below.

**Deed Howard Financing Corp to Columbia Flier Building Associates**

Liber 803 Folio 515

12/20/1976

30 foot ingress/egress easement

**Confirmatory Deed Howard Financing Corp to Columbia Flier Building Associates**

Liber 812 Folio 29

2/25/1977

30 foot ingress/egress easement

Thus, to correct the various discrepancies cited above, I hope that some attention will be paid to clarify these easements and record confirmatory and corrected documents in the Howard County Land Records.

Sincerely,

Joel Hurewitz

DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT, made this <sup>1st</sup> day of ~~DECEMBER~~, 1972, by THE HOWARD RESEARCH AND DEVELOPMENT CORPORATION, a Maryland corporation.

WHEREAS, The Howard Research and Development Corporation is the owner in fee simple of Lots 8, 9, 10, 11, 12, 13 and 14 as shown on Plats entitled "Columbia, Village of Wilde Lake, Section 10, Area 5, which Plats are respectively recorded among the Land Records of Howard County in Plat Book 17 at Folios 9 and 10; and

WHEREAS, the Howard County Roads Department has restricted vehicular access along that portion of the Little Patuxent Parkway on which all of said Lots front; and

WHEREAS, The Howard Research and Development Corporation desires to provide all of said Lots with a common means of ingress and egress to the said Little Patuxent Parkway.

NOW, THEREFORE, THIS DECLARATION WITNESSETH:

That The Howard Research and Development Corporation does hereby create a perpetual easement thirty (30) feet in width across and over Lots 10 and 11, Section 10, Area 5, Village of Wilde Lake, for the benefit of all of the said Lots and for the purpose of providing a means of common ingress and egress to and from Little Patuxent Parkway.

Said easement is more particularly described as follows, namely:

Being thirty (30) feet in width, fifteen (15) feet on each side thereof, of the entire length of a centerline shown as the N 16° 38' 05" E 255.15' line dividing Lot 10 from Lot 11 as shown on a Plat entitled "Columbia, Village of Wilde Lake, Section 10, Area 5, Sheet 2 of 2", which Plat is recorded among the Land Records of Howard County in Plat Book 17 at folio 10.

APR -5-73 \* 23261 \*\*\*\*\*7.00  
APR -5-73 A 23261 \*\*\*\*\*7.00

11076  
~~305177~~  
2913-77

CONFIRMATORY  
DEED

THIS DEED, made this 25<sup>th</sup> day of February, in the year one thousand nine hundred seventy-seven, by and between HOWARD FINANCING CORPORATION, a Maryland corporation, party of the first part, Grantor, and COLUMBIA FLIER BUILDING ASSOCIATES, a Maryland general partnership, party of the second part, Grantee.

WHEREAS, in order to correct certain typographical errors appearing in that certain deed dated December 20, 1976 and recorded in Liber 803, folio 515, these presents are executed.

WITNESSETH: That in consideration of the sum of Five Dollars (\$5.00) and other valuable considerations the receipt whereof is hereby acknowledged, the said Grantor, for itself and its successors and assigns, does hereby grant, convey and assign unto COLUMBIA FLIER BUILDING ASSOCIATES, Grantee, its successors and assigns, in fee simple, all those certain lots of ground situate and lying in the Fifth Election District of Howard County, in the State of Maryland, and described as follows, that is to say:

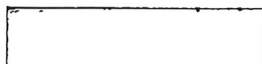
BEING known and designated as Parcels 12, 13 and 14, as shown on that certain Plat entitled, "Columbia, Village of Wilde Lake, Section 10, Area 5, Sheet 1 of 2," which Plat is recorded among the Land Records of Howard County, Maryland in Plat Book 17, folio 9, containing approximately 1.655 acres of land.

BEING known and designated as Parcel 11 as shown on that certain Plat entitled, "Columbia, Village of Wilde Lake, Section 10, Area 5, Sheet 2 of 2," which Plat is recorded among the Land Records of Howard County, Maryland in Plat Book 17, folio 10, containing approximately 0.503 acres of land.

BEING the same parcels of ground which by Deed dated September 23, 1975, and recorded among the Land Records of Howard County, Maryland in Liber 738, folio 93, were granted and conveyed to Howard Financing Corporation by Lewis Straughn Nippard and Terry B. Blair, Substitute Trustees.

TOGETHER with and subject to an easement for ingress and egress for use in common with others entitled thereto, said easement being thirty (30) feet in width, fifteen (15) feet on each side thereof, of the entire length of a center line shown as the N 16°38'05" E 255.15' line dividing Lot 10 from Lot 11, as shown on a Plat entitled, "Columbia, Village of Wilde Lake, Section 10, Area 5, Sheet 2 of 2," which Plat is recorded among the Land Records of Howard County, Maryland in Plat Book 17, folio 10, said easement being more particularly described and set forth by a Declaration of Easement dated December 1, 1972, and recorded among the Land Records of Howard County, Maryland in Liber 631, folio 92.

TOGETHER with the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.



2913-76

DEED

THIS DEED, made this 20th day of December, in the year one thousand nine hundred seventy-six, by and between HOWARD FINANCING CORPORATION, a Maryland corporation, party of the first part, Grantor, and COLUMBIA FLIER BUILDING ASSOCIATES, a Maryland corporation, party of the second part, Grantee.

WITNESSETH: That in consideration of the sum of Five Dollars (\$5.00) and other valuable considerations the receipt whereof is hereby acknowledged, the said Grantor, for itself and its successors and assigns, does hereby grant, convey and assign unto Columbia Flier Enterprises, Ltd., Grantee, its successors and assigns, in fee simple, all those certain lots of ground situate and lying in the Fifth Election District of Howard County, in the State of Maryland, and described as follows, that is to say:

BEING known and designated as Parcels 12, 13, and 14, as shown on that certain Plat entitled, "Columbia, Village of Wilde Lake, Section 10, Area 5, Sheet 1 of 2," which Plat is recorded among the Land Records of Howard County, Maryland, in Plat Book 17, folio 9, containing approximately 1.655 acres of land.

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1 - 75, 1 20 710 1 1147 01  
2 - 75, 1 20 710 1 1148 01  
" - 75, 1 20 710 1 1149 01  
1 - 77 A 20 711 1 1148 01

HOWARD COUNTY CIRCUIT COURT (Land Records) CMP 803, p. 0515, MSA\_CES3\_789. Date available 11/06/2003. Printed 07/23/2020.



TOGETHER with and subject to an easement for ingress and egress for use in common with others entitled thereto, said easement being thirty (30) feet in width, fifteen (15) feet on each side thereof, of the entire length of a center line shown as the N 16°38'05" E 255.15' line dividing Lot 10 from Lot 11, as shown on a Plat entitled, "Columbia, Village of Wilde Lake, Section 10, Area 5, Sheet 2 of 2," which Plat is recorded among the Land Records of Howard County, Maryland, in Plat Book 17, folio 10, said easement being more particularly described and set forth by a Declaration of Easement dated December 1, 1972, and recorded among the Land Records of Howard County, Maryland, in Liber 631, folio 92.

TOGETHER with the buildings and improvements thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described parcels of ground and premises, unto and to the use of the said Columbia Flier Enterprises, Ltd., a Maryland corporation, its successors and assigns, in fee simple, forever.

SUBJECT, HOWEVER, to those certain covenants, agreements, easements, charges, liens, restrictions, reservations, and encumbrances imposed (1) by that Deed, Agreement and Declaration dated December 13, 1966, by and between The Columbia Park And Recreation Association, Inc., as Grantor, and C. Aileen Ames, as Grantee, and recorded among the Land Records of Howard County, Maryland, in Liber 463, folio 158, et seq., and (2) by those Special and General Covenants and Restrictions attached to and incorporated in a deed dated April 6, 1973, by and between The Howard Research And Development Corporation, as Grantor, and Haldo Incorporated, as Grantee, and recorded among the Land Records of Howard County, Maryland, in Liber 632, folio 421, as said Special and General Covenants are amended by that certain Agreement and Declaration Amending Special and General Covenants and Restrictions by and between The Howard Research And Development Corporation and Howard Financing Corporation dated March 18, 1976 and recorded or intended to be recorded among the Land Records of Howard County, Maryland, immediately prior hereto. The instruments described in (1) and (2) above shall, in all events and regardless of ownership or possession, be binding upon the parcels conveyed hereby to the end that the provisions thereof shall run with, bind and burden the said parcels for the periods specified in each of said instruments.

AND the said Grantor hereby covenants that it will warrant specially the property hereby conveyed and that it will execute such further assurances of said land as may be requisite.

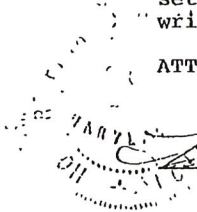
Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN TESTIMONY WHEREOF, the said Grantor has caused

its corporate seal to be affixed and its Vice President to set his hand hereto as of the day and year first hereinabove written.

ATTEST:

HOWARD FINANCING CORPORATION



*Frances R. [Signature]*  
Assistant Secretary

By *Fredrick W. [Signature]* (SEAL)  
Vice President

STATE OF MARYLAND, HOWARD COUNTY, TO WIT:

I HEREBY CERTIFY, that on this *30<sup>th</sup>* day of *December* 1976, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared *Fredrick W. Glassberg*, who acknowledged himself to be the Vice President of Howard Financing Corporation, Grantor herein, and that he as such Vice President, being authorized so to do, executed the foregoing Deed on behalf of the corporation by signing his name as Vice President.

WITNESS my hand and Notarial Seal.

*Meresa M. [Signature]*  
Notary Public

My commission expires July 1, 1978.



HOWARD COUNTY CIRCUIT COURT (Land Records) CMP 803, p. 0517, MSA\_CE53\_789. Date available 11/06/2003. Printed 07/23/2020.

*Mailed to - Atlantic Title Co*

RECORDED FOR RECORD JAN 3 1977 AT 3:26 O'CLK P IN SAME DAY RECORDED & EX'D PER C. MERRITT PUMPHREY, CLK.



Wilde Lake Middle and High School, Flier Building, and HCC 1993



