

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 3

Resolution No. 29-2014

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

A RESOLUTION declaring that a total of approximately 22.58 acres of real property owned by Howard County and identified as the Mears Property and located along Lennox Road in Jessup is no longer needed for a public purpose; authorizing the County Executive to sell the property; waiving the bidding requirements of Section 4.201 of the Howard County Code; allowing the County to consider certain conditions when reviewing bids to purchase the property; requiring certain approvals by the County Council; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use.

Introduced and read first time March 5, 2014.

By order Shelia M. Tolliver
Shelia M. Tolliver, Administrator

Read for a second time at a public hearing on March 17, 2014.

By order Shelia M. Tolliver
Shelia M. Tolliver, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on April 7, 2014.

Certified By Shelia M. Tolliver
Shelia 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 located along Lennox Avenue,
2 Jessup, Maryland known as the Mears Property, as shown in the attached Exhibits A and B,
3 containing approximately 22.58 acres being part of the property acquired by deed dated
4 November 13, 2013 and recorded among the Land Records of Howard County, Maryland in
5 Liber 15346, Folio 104; and

6
7 **WHEREAS**, the County seeks to use a portion of the Mears Property for the extension of
8 Dorsey Run Road and related storm water management; and

9
10 **WHEREAS**, the County intends to enter into an agreement with a real estate consultant
11 for the purpose of marketing and selling the portion of the Mears Property (the “Property”) that
12 is not required for the public road known as Dorsey Run Road and the related improvements,
13 including, storm water management; and

14
15 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
16 authorizes the County Council to declare that County Property is no longer needed for public
17 purposes and also authorizes the County Council to waive bidding requirements for an individual
18 conveyance of real property upon the request of the County Executive and after a public hearing
19 that has been duly advertised; and

20
21 **WHEREAS**, the County Council has received a request from the County Executive to waive
22 the bidding requirements in this instance for the sale of the Property; and

23
24 **WHEREAS**, when considering bids for the purchase of the Property, the County may
25 consider the relocation of existing businesses to (i) promote Route 1 revitalization goals and (ii)
26 conform to the County’s current zoning requirements; and

27 **WHEREAS**, any award to a person other than the highest responsible bidder shall be
28 approved by the County Council.

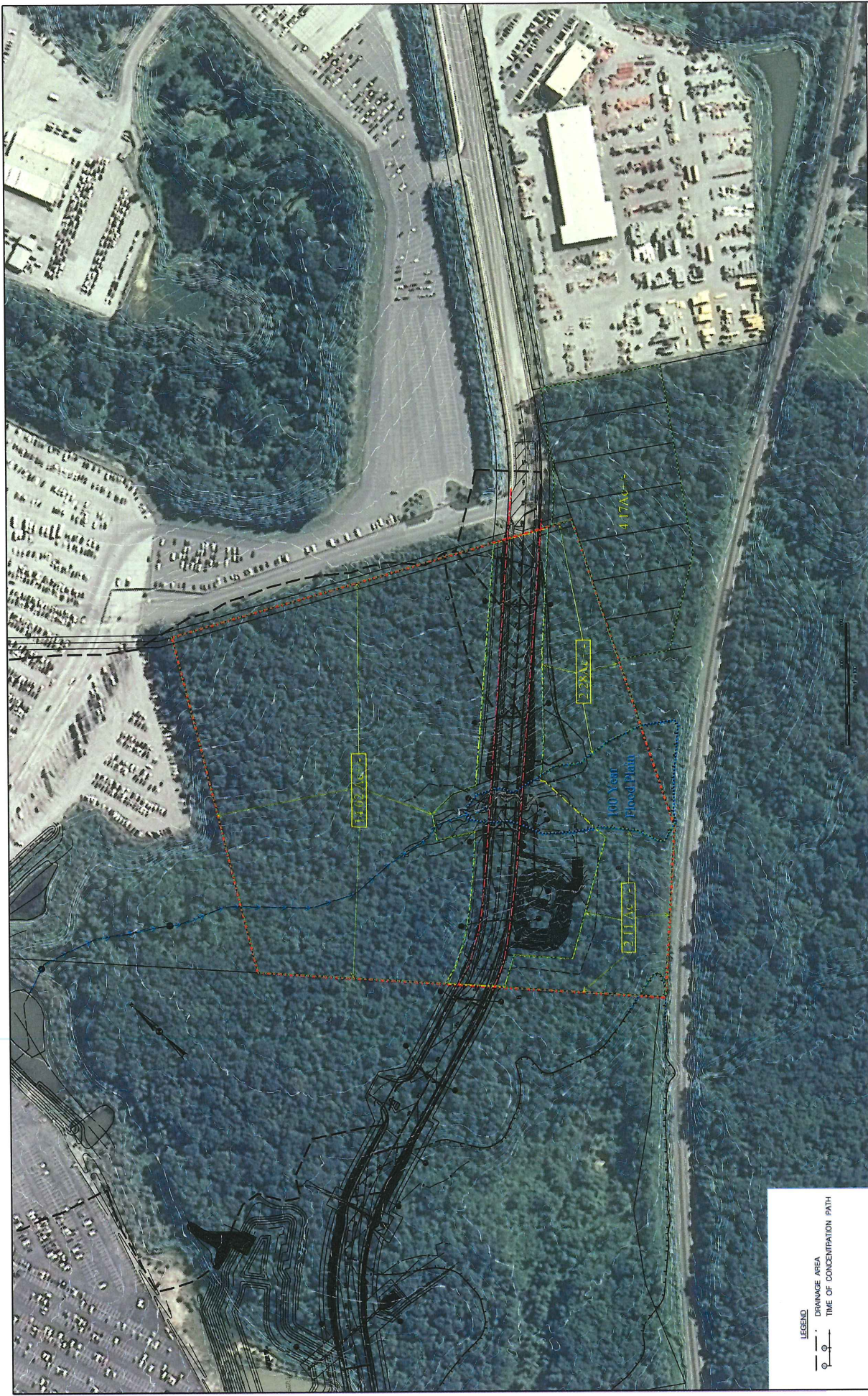
29 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
30 Maryland, this 7th day of April, 2014, that the portion of the Property that

1 is not required for the public road known as Dorsey Run Road and the related improvements,
2 including, storm water management is no longer needed by the County for public purposes.

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 bidding
7 requirements of Section 4.201 of the Howard County Code for the sale of the Property so that the
8 County may consider the relocation of existing businesses to (i) promote Route 1 revitalization
9 goals and (ii) conform to the County's current zoning requirements.

10 **AND BE IT FURTHER RESOLVED**, that any award to a person other than the highest
11 responsible bidder shall be approved by the County Council.

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



LEGEND
 ○ DRAINAGE AREA
 — TIME OF CONCENTRATION PATH

DEPARTMENT OF PUBLIC WORKS
 HOWARD COUNTY, MARYLAND

DIRECTOR OF PUBLIC WORKS _____ DATE _____
 CHIEF, BUREAU OF ENGINEERING _____ DATE _____

DIRECTOR OF TRANSPORTATION _____ DATE _____
 CHIEF, BUREAU OF HIGHWAYS _____ DATE _____

AND SPECIAL PROJECTS

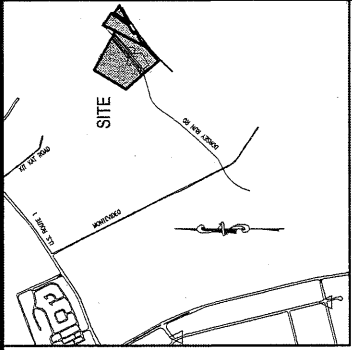
PREPARED BY
URS
 AN AMERICAN COMPANY
 1000 WASHINGTON AVENUE
 WASHINGTON, DC 20001



ISS: DWS	BY: DWS	DATE: 02/20/13	NO.	REVISION	DATE

SCALE MAP NO. _____ BLOCK NO. _____
PARCEL 51 DISPLAY

SCALE _____
 DORSEY RUN ROAD EXTENSION
 MONTEVIDEO ROAD TO
 STATION 594+85.00
 ELECTION DISTRICT NO. 1 - JESSUP, MARYLAND
 CAPITAL PROJECT J-4148-B
 SHEET _____ OF 141
 DATE: FEBRUARY 20, 2013 AT 08:22PM



VICINITY MAP
1"=2000'

PROPERTY INFORMATION
 OWNERS: MEARS PROPERTIES LLC
 ADDRESS: 14000 WOODBURN DRIVE
 PHOENIX, AZ 85048-8872
 PREMISE ADDRESS: LENNOX AVENUE
 (FUTURE DORSEY RUN ROAD)
 ELKRIEDE, MD 21075
 TAX ACCOUNT ID. NO.: 17-174286
 TAX MAP 53, CORP. 11, PARCEL: 51
 ELECTION DISTRICT: 1H
 DEED REFERENCE: MDR 6233/247
 PLAT REFERENCE: WMLC 89/289 & HBN 122/600

PARCEL 116
 ACT. NO. 01-174282
 ANKID AMERICAN PROP HOLDINGS, INC.
 2509/10
 BALTIMORE WASHINGTON AUTO EXCHANGE
 PLAT NOS. 10212-10216

AS SHOWN ON PLAT OF SUBMISSION OF
 HBN 122/600 AND REFERENCED IN DEED
 HBN 123/21 (SECOND PARCEL)
 HBN 122/600

P/O PARCEL 51
 ACT. NO. 01-174286
 MEARS PROPERTIES LLC
 6233/247 (PART 1)
 PLAT OF SUBMISSION OF
 J.C. COONEY'S FARM
 HBN 122/600

AREA TABLE

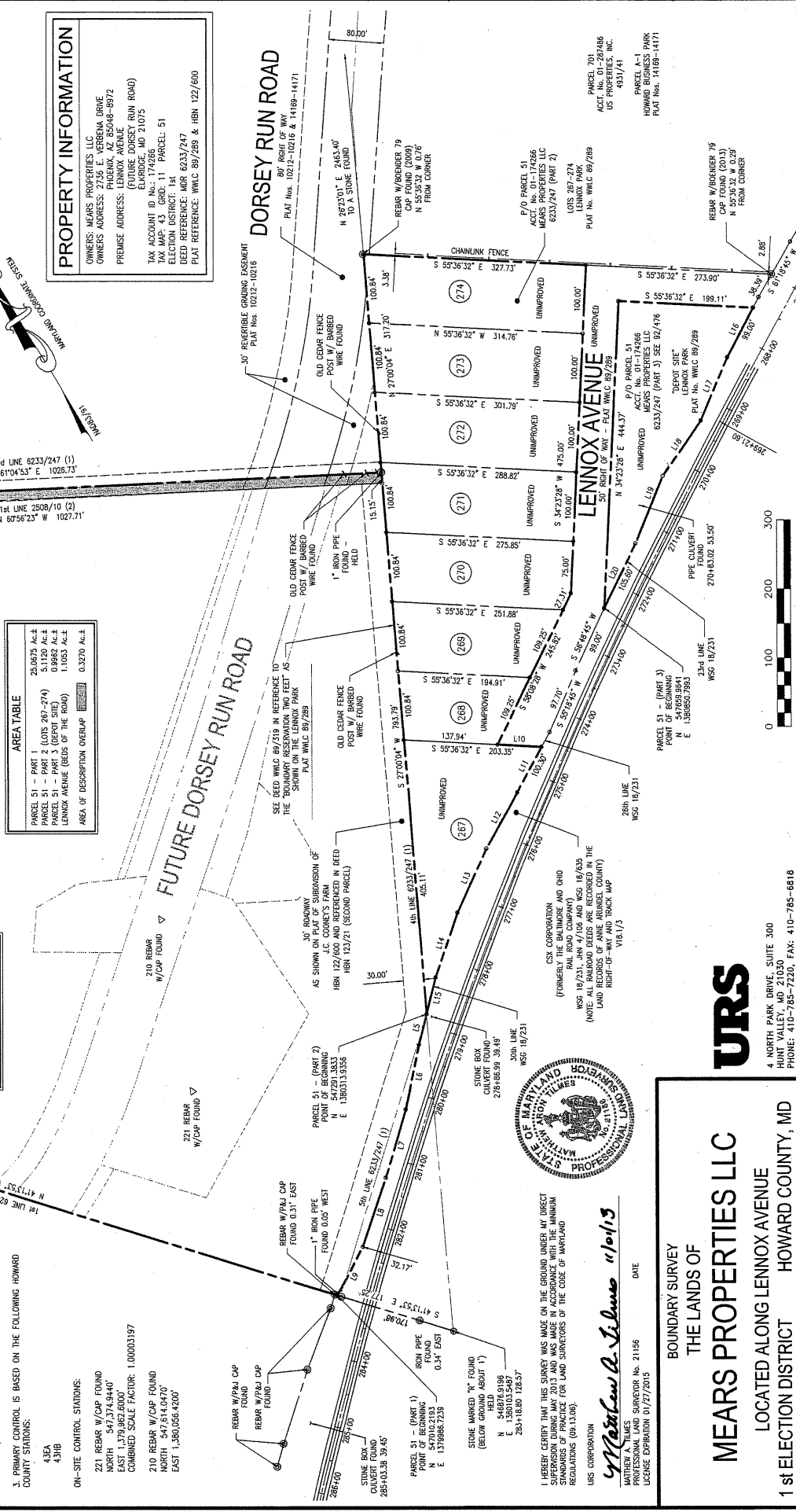
PARCEL 51 - PART 1	25.0675 Ac.±
PARCEL 51 - PART 2 (LOTS 267-274)	5.1120 Ac.±
PARCEL 51 - PART 3 (DEPOT SITE)	0.9882 Ac.±
LENNOX AVENUE (BEDS OF THE ROAD)	1.1053 Ac.±
AREA OF DESCRIPTION OVERLAP	0.3270 Ac.±

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 47°13'57" E	900.00'
L2	S 15°24'32" W	441.31'
L3	S 13°18'45" W	97.00'
L4	S 17°48'45" W	103.00'
L5	S 50°13'35" W	106.28'
L6	S 59°21'50" W	80.71'
L7	S 60°03'45" E	76.80'
L8	S 60°03'45" E	76.80'
L9	S 55°48'45" W	104.30'
L10	S 50°03'45" W	101.00'
L11	S 65°48'45" W	55.67'
L12	S 54°48'45" W	59.00'
L13	S 54°48'45" W	59.00'
L14	S 54°48'45" W	59.00'
L15	S 54°48'45" W	59.00'
L16	S 54°48'45" W	59.00'
L17	S 54°48'45" W	59.00'
L18	S 54°48'45" W	59.00'
L19	S 54°48'45" W	59.00'
L20	S 57°33'45" W	104.76'

GENERAL NOTES
 1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT PREPARED BY MAXIMUM TITLE DATED JUNE 26, 2009. ACCORDING TO THIS TITLE REPORT, THIS PARCEL IS SUBJECT TO THE FOLLOWING EXCEPTIONS:
 1. 92/476
 2. 235/316
 3. 384/156
 4. 384/166
 5. 384/180
 6. 877/545
 7. 1680/560
 2. EXISTING FEATURES SHOWN HEREON WERE TAKEN FROM THE RECORD SURVEY AND FIELD LOCATIONS DURING 2013. THE LAST DAY OF FIELD WORK WAS ON MAY 20, 2013.
 3. PRIMARY CONTROL IS BASED ON THE FOLLOWING HOWARD COUNTY STATIONS:
 43EA
 43IB
 ON-SITE CONTROL STATIONS:
 221 REBAR W/C/P FOUND NORTH 547.374/94.0 NORTH 1,379.862/600.0 COMBINED SCALE FACTOR: 1.00003197
 210 REBAR W/C/P FOUND NORTH 5476.140/97.0 EAST 1,350.056/426.0

1st LINE 6233/247 (1)
 N 41°13'57" E 900.00' - RECORD
 2nd LINE 6233/247 (1)
 N 31°04'07" E 860.68'
 3rd LINE 6233/247 (1)
 S 61°04'53" E 1026.73'
 1st LINE 2508/10 (2)
 N 60°56'23" W 1027.71'
 210 REBAR W/C/P FOUND
 221 REBAR W/C/P FOUND
 30' ROADWAY
 AS SHOWN ON PLAT OF SUBMISSION OF HBN 122/600 AND REFERENCED IN DEED HBN 123/21 (SECOND PARCEL)
 HBN 122/600
 P/O PARCEL 51
 ACT. NO. 01-174286
 MEARS PROPERTIES LLC
 6233/247 (PART 1)
 PLAT OF SUBMISSION OF J.C. COONEY'S FARM
 HBN 122/600
 AREA OF DESCRIPTION OVERLAP
 SEE 6233/247 (PARCEL 1) AND 2508/10 (PARCEL 2)
 1/2" REBAR FOUND IN TREE ROOT
 3/4" IRON PIPE FOUND AT CORNER
 IRON PIPE FOUND (2009)
 IRON PIPE W/ CAP FOUND (2009)
 IRON PIPE FOUND (2013)
 30' REVERSIBLE GRADING EASEMENT
 PLAT NOS. 10212-10216
 80' RIGHT OF WAY
 PLAT NOS. 10212-10216 & 14189-14171
 N 26°23'13" E 245.14'
 TO P.A. STONE FOUND
 REBAR W/BENDER 79
 CAP FOUND (2009)
 N 55°35'32" W 07.6'
 FROM CORNER
 P/O PARCEL 51
 ACT. NO. 01-174286
 MEARS PROPERTIES LLC
 6233/247 (PART 2)
 LENOX PARK
 DEPOSIT SITE
 HBN 89/289
 PLAT NO. WMLC 89/289
 REBAR W/BENDER 79
 CAP FOUND (2013)
 N 55°35'32" W 07.6'
 FROM CORNER
 PARCEL 701
 ACT. NO. 01-287486
 US PROPERTIES, INC.
 4931/41
 PARCEL A-1
 HOWARD BUSINESS PARK
 PLAT NOS. 14189-14171



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL REGULATIONS (09-13.06).
 URS CORPORATION
 MATTHEW J. MEARS
 PROFESSIONAL LAND SURVEYOR No. 21196
 LICENSE EXPIRATION 01/27/2015
 DATE

URS
 4 NORTH PARK DRIVE, SUITE 300
 HUNT VALLEY, MD 21030
 PHONE: 410-765-7260, FAX: 410-765-6818

MEARS PROPERTIES LLC
 LOCATED ALONG LENNOX AVENUE
 1st ELECTION DISTRICT HOWARD COUNTY, MD

BOUNDARY SURVEY
 THE LANDS OF
 MEARS PROPERTIES LLC
 LOCATED ALONG LENNOX AVENUE
 1st ELECTION DISTRICT HOWARD COUNTY, MD

EXHIBIT B

AMENDED Amendment 1 to Council Resolution No. 29-2014

BY: Greg Fox

Legislative Day No. 4

Date: April 7, 2014

Amendment No. 1

(This amendment removes the bidding waiver.)

1 On the title page, beginning in line 4 of the purpose paragraph strike from “waiving” through
2 “property;” in line 6.

3
4 On page 1, in line 17, strike from the first instance of “and” through “requirements” in line 26.

5
6 On page 2, strike lines 2 through 7 in their entirety.

7 On the title page, in the sixth line of the title, after the first “property;”, insert “requiring certain
8 approvals by the County Council;”

9
10 On page 1, in line 26, strike the period and substitute “;and”

11
12 On page 1, in line 27, insert “WHEREAS, any award to a person other than the highest
13 responsible bidder shall be approved by the County Council.”

14
15 On page 2, in line 8, insert “AND BE IT FURTHER RESOLVED, that any award to a
16 person other than the highest responsible bidder shall be approved by the County Council.”

ADOPTED 4/7/2014
FAILED _____
SIGNATURE Shirley Johnson

10/10/10
10/10/10
10/10/10

Amendment 1 to Amendment 1 to Council Resolution No. 29-2014

BY: The Chairperson at the
request of the County Executive

Legislative Day No.
Date: April 7, 2014

Amendment No. 1

(This amendment preserves the bidding waiver but requires County Council approval to sell the Property to a person other than the highest responsible bidder.)

1 On page 1 of the amendment, strike lines 1 through 6, inclusive and in their entirety, and
2 substitute:

3
4 “On the title page, in the sixth line of the title, after the first “property;”, insert “ requiring
5 certain approvals by the County Council;”

6
7 On page 1, in line 26, strike the period and substitute “; and”

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13 person other than the highest responsible bidder shall be approved by the County
14 Council.’”.

ADOPTED 4/7/2014

FAILED _____

SIGNATURE Shirley J. Moore

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. **3**

Resolution No. 29 -2014

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

A RESOLUTION declaring that a total of approximately 22.58 acres of real property owned by Howard County and identified as the Mears Property and located along Lennox Road in Jessup is no longer needed for a public purpose; authorizing the County Executive to sell the property; waiving the bidding requirements of Section 4.201 of the Howard County Code; allowing the County to consider certain conditions when reviewing bids to purchase the property; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use.

Introduced and read first time _____, 2014.

By order _____
Shelia M. Tolliver, Administrator

Read for a second time at a public hearing on _____, 2014.

By order _____
Shelia 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 _____
Shelia 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

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25 consider the relocation of existing businesses to (i) promote Route 1 revitalization goals and (ii)
26 conform to the County's current zoning requirements.

27
28 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
29 Maryland, this ____ day of _____, 2014, that the portion of the Property that
30 is not required for the public road known as Dorsey Run Road and the related improvements,
31 including, storm water management is no longer needed by the County for public purposes.

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11

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 bidding requirements of Section 4.201 of the Howard County Code for the sale of the Property so that the County may consider the relocation of existing businesses to (i) promote Route 1 revitalization goals and (ii) conform to the County's current zoning requirements.

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BY: Greg Fox

Legislative Day No. 4/
Date: April 7, 2014

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8

