

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 2

Resolution No. 20 -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 grant an easement to Baltimore Gas and Electric Company on property owned by the County located along Court House Drive in Ellicott City; 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 grant the easement if he finds that the land may have a further public use.

Introduced and read first time Feb. 3, 2014.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

Read for a second time at a public hearing on Feb. 18, 2014.

By order Sheila M. Tolliver
Sheila M. Tolliver, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on March 5, 2014.

Certified By Sheila M. Tolliver
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 fee simple owner of certain real property known as Court
2 House Drive as acquired (1) from Debora G. Latona by Deed dated June 13, 1990 and recorded
3 among the Land Records of Howard County in Liber C.M.P., No. 2192, at folio 631; (2) from
4 The Maryland Water Works Company by Deed dated August 28, 1958 and recorded among the
5 Land Records of Howard County in Liber R.H.M., No. 319, folio 364; and (3) from Margaret
6 Beccio Spittel and Immaculata L. Wolf by Deed dated June 15, 1978 and recorded among the
7 Land Records of Howard County in Liber C.M.P., No. 888, folio 373, (the "County Property");
8 and

9
10 **WHEREAS**, Baltimore Gas and Electric Company ("BGE") has requested permission to
11 enter upon and use, from time to time, a portion of the County Property containing
12 approximately 0.3685 acres for the sole purpose of installing and maintaining a replacement
13 underground electric line to serve the Linwood Property in order to provide better electrical
14 services to the surrounding County office buildings, as shown in the attached Exhibit A (the
15 "Easement"); and

16
17 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
18 Easement; and

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

24
25 **WHEREAS**, as a matter of course, even when the County retains fee ownership of the
26 property and continues its use of the property upon which an easement is granted, the County
27 Executive requests the County Council to approve the easement under Section 4.201; and

28
29 **WHEREAS**, the County Council has received a request from the County Executive to
30 waive the advertising and bidding requirements in this instance for the grant of the Easement to
31 BGE.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland, this 5th day of March, 2014, that an Easement is granted to BGE comprising approximately 0.3685 acres, as shown on the attached Exhibit A, for the purpose of installing and maintaining a replacement underground electric line ~~to serve the Linwood Property~~ in order to provide better electrical services to the surrounding County office buildings.

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 Easement to BGE.

AND BE IT FURTHER RESOLVED that, if the County Executive finds that the land to be subject to the Easement may have a further public use which the easement will deter and, therefore, that the Easement should not be granted, he is not bound to grant the Easement in accordance with this Resolution.

Amendment 1 to Council Resolution No. 20-2014

BY: Chairperson at the request
of the County Executive

Legislative Day No. 3
Date: March 3, 2014

Amendment No. 1

(This amendment corrects the reason for the easement.)

1 On page 1, in line 13, strike “to serve the Linwood Property” and substitute “in order to provide
2 better electrical services to the surrounding County office buildings”.

3
4 On page 2, in lines 4 through 5, strike “to serve the Linwood Property” and substitute “in order
5 to provide better electrical services to the surrounding County office buildings”.

6

ADOPTED 3/5/2014
FAILED _____
SIGNATURE Shirley Jallone

Small, illegible text or markings at the bottom center of the page.

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 2

Resolution No. 20 -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 grant an easement to Baltimore Gas and Electric Company on property owned by the County located along Court House Drive in Ellicott City; 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 grant the easement 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 fee simple owner of certain real property known as Court
2 House Drive as acquired (1) from Debora G. Latona by Deed dated June 13, 1990 and recorded
3 among the Land Records of Howard County in Liber C.M.P., No. 2192, at folio 631; (2) from
4 The Maryland Water Works Company by Deed dated August 28, 1958 and recorded among the
5 Land Records of Howard County in Liber R.H.M., No. 319, folio 364; and (3) from Margaret
6 Beccio Spittel and Immacolata L. Wolf by Deed dated June 15, 1978 and recorded among the
7 Land Records of Howard County in Liber C.M.P., No. 888, folio 373, (the "County Property");
8 and

9
10 **WHEREAS**, Baltimore Gas and Electric Company ("BGE") has requested permission to
11 enter upon and use, from time to time, a portion of the County Property containing
12 approximately 0.3685 acres for the sole purpose of installing and maintaining a replacement
13 underground electric line to serve the Linwood Property, as shown in the attached Exhibit A (the
14 "Easement"); and

15
16 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
17 Easement; and

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

23
24 **WHEREAS**, as a matter of course, even when the County retains fee ownership of the
25 property and continues its use of the property upon which an easement is granted, the County
26 Executive requests the County Council to approve the easement under Section 4.201; and

27
28 **WHEREAS**, the County Council has received a request from the County Executive to
29 waive the advertising and bidding requirements in this instance for the grant of the Easement to
30 BGE.

1 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
2 Maryland, this ____ day of _____, 2014, that an Easement is granted to BGE
3 comprising approximately 0.3685 acres, as shown on the attached Exhibit A, for the purpose of
4 installing and maintaining a replacement underground electric line to serve the Linwood
5 Property.

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

12
13 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land
14 to be subject to the Easement may have a further public use which the easement will deter and,
15 therefore, that the Easement should not be granted, he is not bound to grant the Easement in
16 accordance with this Resolution.

