

County Council Of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 10

Resolution No. 106 -2021

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 a portion of land containing a total of 0.288 acres owned by Howard County, Maryland located on Maryland Route 103 at Fire Station No. 2 is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to and permanent easement interests in 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 _____, 2021.

By order _____
Michelle Harrod, Administrator

Read for a second time at a public hearing on _____, 2021.

By order _____
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2021.

Certified By _____
Michelle Harrod, 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 approximately 3.086 acres of land known as
2 Parcel No. 694 Lot A-2 on Tax Map 24 and described in the deed dated September 11, 1996, and
3 recorded in the Land Records of Howard County, Maryland at Liber 3816, Folio, 496; and
4

5 **WHEREAS**, the State of Maryland, Department of Transportation, State Highway
6 Administration has asked for a total of 0.288 acres of land as part of the widening of Maryland
7 Route 103 as follows:

- 8 1. A portion of the 3.086 acres containing approximately 0.153 acres of land in fee simple;
9 and
- 10 2. A perpetual easement in a portion of the 3.086 acres of land containing approximately
11 0.136 acres of land; and
12

13 **WHEREAS**, the land being conveyed to the State either in fee simple or by the grant of
14 perpetual easement interests is located within Fire Station No. 2 - Ellicott City at 4150
15 Montgomery Road, Ellicott City, Maryland 21043 and shown on State of Maryland Department
16 of Transportation State Highway Administration State Roads Commission Plat No. 61252
17 attached hereto as Exhibit A, collectively the “County Property”; and
18

19 **WHEREAS**, in addition to the conveyance of fee simple title and easement interests in
20 the County Property, the County will grant a temporary construction easement in approximately
21 0.217 acres as shown on Exhibit A; and
22

23 **WHEREAS**, in exchange for the conveyance of fee simple title and easement interests,
24 the State will pay the appraised value of the County Property of \$394,950; and
25

26 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
27 conveyance of fee simple title and easement interests in the County Property, as described as
28 “Fee Simple Area” and “Perpetual Easement Areas”, respectively, as shown in the attached
29 Exhibit A; and
30

1 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
2 authorizes the County Council to declare that property is no longer needed for public purposes
3 and also authorizes the County Council to waive advertising and bidding requirements for an
4 individual conveyance of real property upon the request of the County Executive; and
5

6 **WHEREAS**, the County Council has received a request from the County Executive to
7 waive the advertising and bidding requirements in this instance for the conveyance of the County
8 Property to the State of Maryland, Department of Transportation, State Highway Administration.
9

10 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
11 Maryland, this ____ day of _____, 2021, that the County Property as shown in the
12 attached Exhibit A as the “Fee Simple Area” containing approximately 0.153 acres of land and
13 “Perpetual Easement Areas” containing approximately 0.136 acres of land in total is no longer
14 needed by the County for public purposes.
15

16 **AND BE IT FURTHER RESOLVED**, that County Executive may convey fee simple
17 title to and perpetual easements in the County Property to the State of Maryland, Department of
18 Transportation, State Highway Administration upon payment of the appraised value of the
19 County Property.
20

21 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
22 Executive and having held a public hearing, the County Council declares that the best interest of
23 the County will be served by authorizing the County Executive to waive the usual advertising
24 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
25 the County Property to be conveyed in fee simple or by the grant of perpetual easement interests
26 to the State of Maryland, Department of Transportation, State Highway Administration.
27

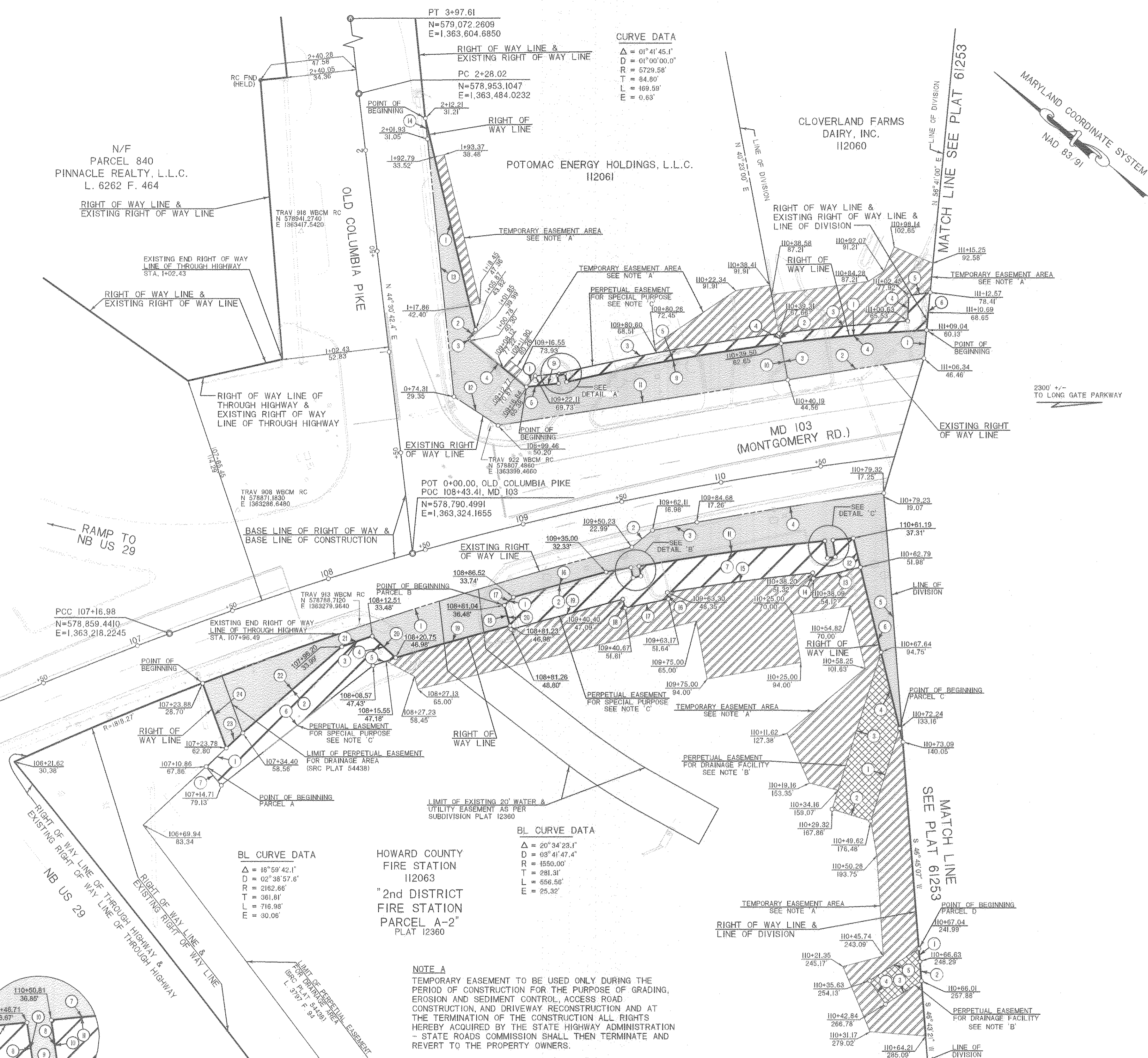
28 **AND BE IT FURTHER RESOLVED** that if the County Executive finds that all or a
29 portion of the County Property may have a further County public use then he is not bound to
30 convey the fee simple or perpetual easement property interests in accordance with this
31 Resolution.

POTOMAC ENERGY HOLDINGS, LLC I12061		
REC'D	LIBER	FOLIO
1	S 37°45'06" W	107.09'
2	S 88°09'47" W	5.55'
3	S 28°15'28" W	1.12'
4	S 00°20'54" W	36.09'
5	S 44°43'17" E	16.03'
6	N 42°06'40" E	3.88'
7	S 51°52'03" E	4.01'
8	S 42°06'40" W	4.01'
9	R = 1071.70' L=107.78'	CHD. S 48°53'39" E 107.73'
10	S 40°23'00" W	18.11'
11	N 47°42'31" W	145.09'
12	N 05°45'48" W	25.98'
13	N 45°16'33" E	127.64'
14	N 45°25'47" E	10.28'
FEE SIMPLE AREA 4,137 SQ. FT. OR 0.095 ACRES± SHOWN THUS: [Pattern]		
TEMPORARY EASEMENT AREA 1,440 SQ. FT. OR 0.033 ACRES± SHOWN THUS: [Pattern]		

CLOVERLAND FARMS DAIRY, INC. I12060		
REC'D	LIBER	FOLIO
1	S 56°41'00" W	13.96'
2	N 47°42'31" W	68.12'
3	N 40°23'00" E	18.11'
4	R = 1071.70' L=72.35'	CHD. S 44°04'45" E 72.34'
FEE SIMPLE AREA 1,142 SQ. FT. OR 0.026 ACRES± SHOWN THUS: [Pattern]		
TEMPORARY EASEMENT AREA 1,720 SQ. FT. OR 0.039 ACRES± SHOWN THUS: [Pattern]		

CLOVERLAND FARMS DAIRY, INC. I12060		
REC'D	LIBER	FOLIO
1	R = 1071.70' L=72.35'	CHD. N 44°04'45" W 72.34'
2	N 40°23'00" E	5.01'
3	R = 1076.70' L=63.99'	CHD. S 44°19'38" E 63.99'
4	N 53°39'53" E	12.53'
5	S 47°30'19" E	10.65'
6	S 56°41'00" W	18.65'
PERPETUAL EASEMENT AREA 496 SQ. FT. OR 0.011 ACRES± SHOWN THUS: [Pattern]		

POTOMAC ENERGY HOLDINGS, LLC I12061		
REC'D	LIBER	FOLIO
1	N 89°50'36" E	7.02'
2	S 44°43'17" E	11.80'
3	R = 1076.70' L=110.66'	CHD. S 48°58'27" E 110.61'
4	S 40°23'00" W	5.01'
5	R = 1071.70' L=107.78'	CHD. N 48°53'39" W 107.73'
6	N 42°06'40" E	4.01'
7	N 51°52'03" W	4.01'
8	S 42°06'40" W	3.88'
9	N 44°43'17" W	16.03'
PERPETUAL EASEMENT AREA 610 SQ. FT. OR 0.014 ACRES± SHOWN THUS: [Pattern]		



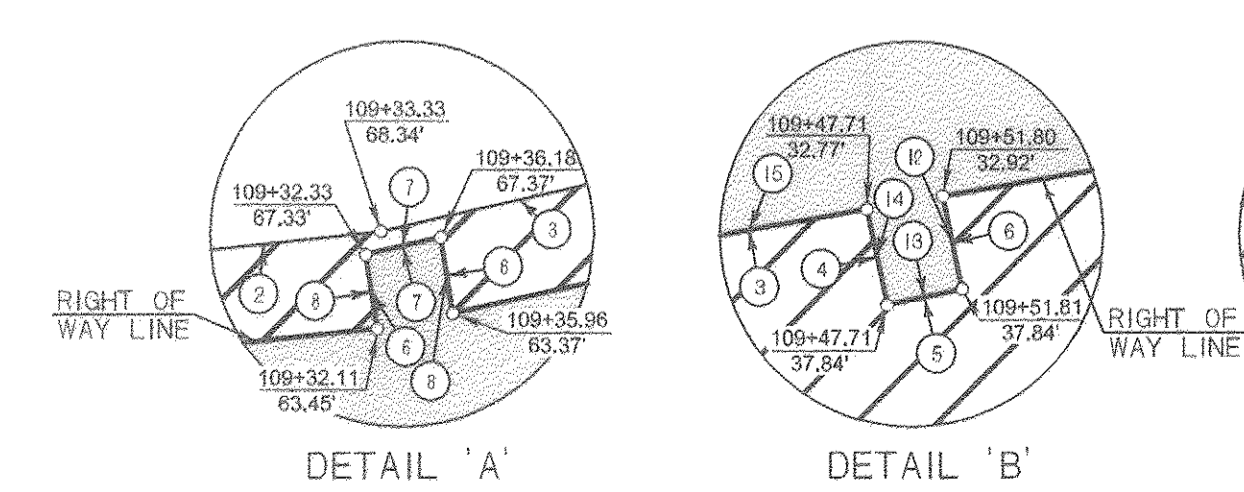
HOWARD COUNTY FIRE STATION I12063		
REC'D	LIBER	FOLIO
1	R = 1818.27' L=222.59'	CHD. S 56°18'34" E 222.46'
2	S 77°34'46" E	13.18'
3	S 49°04'57" E	22.32'
4	R = 1879.86' L=93.59'	CHD. S 47°38'49" E 93.58'
5	S 46°45'07" W	122.94'
6	N 37°25'46" E	103.35'
7	R = 1349.65' L=10.15'	CHD. N 44°10'31" W 10.15'
8	S 42°58'54" W	8.39'
9	N 47°01'06" W	4.00'
10	N 42°58'54" E	8.57'
11	R = 1349.65' L=92.86'	CHD. N 46°31'54" W 92.84'
12	S 39°19'20" W	4.92'
13	N 50°40'40" W	4.00'
14	N 39°19'20" E	5.07'
15	R = 1349.65' L=12.45'	CHD. N 48°56'13" W 12.45'
16	N 53°49'21" W	47.46'
17	N 80°14'13" W	6.02'
18	S 35°46'45" W	10.49'
19	R = 1503.02' L=58.65'	CHD. N 54°19'44" W 58.64'
20	N 03°40'43" E	15.70'
21	N 57°53'54" W	15.97'
22	N 79°46'50" W	64.78'
23	N 81°23'13" W	11.06'
24	N 31°08'24" E	34.10'
FEE SIMPLE AREA 6,655 SQ. FT. OR 0.153 ACRES± SHOWN THUS: [Pattern]		
TEMPORARY EASEMENT AREA 9,444 SQ. FT. OR 0.217 ACRES± SHOWN THUS: [Pattern]		

HOWARD COUNTY FIRE STATION I12063, PARCEL D		
REC'D	LIBER	FOLIO
1	S 46°45'07" W	6.31'
2	S 46°43'21" W	9.60'
3	N 71°37'50" W	21.21'
4	N 17°14'48" E	14.00'
5	S 71°37'50" E	29.04'
PERPETUAL EASEMENT AREA 352 SQ. FT. OR 0.008 ACRES± SHOWN THUS: [Pattern]		

HOWARD COUNTY FIRE STATION I12063, PARCEL A		
REC'D	LIBER	FOLIO
1	S 81°23'13" E	24.49'
2	S 79°46'50" E	64.78'
3	S 57°53'54" E	15.97'
4	S 03°40'43" W	15.70'
5	N 57°53'54" W	11.82'
6	N 77°00'49" W	95.45'
7	N 12°19'21" E	11.86'
PERPETUAL EASEMENT AREA 1,547 SQ. FT. OR 0.036 ACRES± SHOWN THUS: [Pattern]		

HOWARD COUNTY FIRE STATION I12063, PARCEL B		
REC'D	LIBER	FOLIO
1	S 80°14'13" E	6.02'
2	S 53°49'21" E	47.46'
3	R = 1349.65' L=12.45'	CHD. S 48°56'13" E 12.45'
4	S 39°19'20" W	5.07'
5	S 50°40'40" E	4.00'
6	N 39°19'20" E	4.92'
7	R = 1349.65' L=92.86'	CHD. S 46°31'54" E 92.84'
8	S 42°58'54" W	8.57'
9	S 47°01'06" E	4.00'
10	N 42°58'54" E	8.39'
11	R = 1349.65' L=10.15'	CHD. S 44°10'31" E 10.15'
12	S 37°25'46" W	14.75'
13	N 52°05'19" W	23.96'
14	N 44°56'05" E	2.80'
15	R = 1334.65' L=72.55'	CHD. N 46°26'34" W 72.55'
16	S 42°09'25" W	3.30'
17	N 50°31'23" W	21.75'
18	N 35°46'45" E	4.52'
19	N 53°49'21" W	57.34'
20	N 35°46'45" E	12.32'
PERPETUAL EASEMENT AREA 2,691 SQ. FT. OR 0.062 ACRES± SHOWN THUS: [Pattern]		

HOWARD COUNTY FIRE STATION I12063, PARCEL C		
REC'D	LIBER	FOLIO
1	S 68°36'01" W	47.87'
2	N 21°50'23" W	20.00'
3	N 68°36'01" E	81.09'
4	S 37°25'46" W	38.64'
PERPETUAL EASEMENT AREA 1,290 SQ. FT. OR 0.030 ACRES± SHOWN THUS: [Pattern]		



SURVEYOR'S CERTIFICATION
 THE RIGHT OF WAY LINES AND LINES OF DIVISION SHOWN HEREON WERE ESTABLISHED FROM DEEDS AND PLATS OF RECORD AND FIELD SURVEYS. THE UNDERSIGNED WAS IN RESPONSIBLE CHARGE OF THE PREPARATION OF THIS PLAN AND THE SURVEYING WORK REFLECTED ON IT. THIS PLAN WAS DEVELOPED IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN COMAR REGULATION 09.13.06.

JEFFREY A. McDONALD
 PROFESSIONAL LAND SURVEYOR
 MD REG. NO. 21322
 EXP. DATE 01/07/2021
 DATE: 01-15-2019

LEGEND OF PROPOSED EASEMENTS

- TEMPORARY CONSTRUCTION EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAN.
- REVERTIBLE EASEMENT FOR SUPPORTING SLOPES.
- PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON THIS PLAN.
- PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAN.
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO AN EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND.

A PORTION OF THIS RIGHT OF WAY IS FOR A CONTROLLED ACCESS ARTERIAL HIGHWAY AND NO ACCESS, EITHER VEHICULAR, PEDESTRIAN, OR ANIMAL WILL BE PERMITTED ACROSS THE LINE DESIGNATED "RIGHT OF WAY LINE OF THROUGH HIGHWAY" EXCEPT BY MEANS OF SUCH PUBLIC ROAD CONNECTIONS AS ARE AUTHORIZED BY LAW.

SCALE: 1" = 30'

SENT TO RECORD OFFICE _____ 20____

APPROVED BY: STATE ROADS COMMISSION CHAIRMAN _____ 20____

NO.	DATE	REVISION

DESIGNATION	NORTH	EAST	SOURCE	POINT DESCRIPTION
241B	578,753.5105	1,362,302.9147	HOWARD CO. GOV.	BRASS DISC
241C	576,599.0961	1,364,758.1585	HOWARD CO. GOV.	BRASS DISC
241D	575,628.9944	1,364,013.6954	HOWARD CO. GOV.	BRASS DISC

BOOKS: 25236 (TRAV) 1121 (REV. 10/22/1953)
 21386 (M&B) 36986 (REV. 05/31/1968)
 54438
 52117
 51138 (REV. 06/09/1988)

LOCATED IN: HOWARD COUNTY

PREPARED BY: WHITNEY, BAILEY, COX, AND MAGNANI
 ADDRESS: 300 E. JOPPA RD., SUITE 200, BALTIMORE, MD 21286

CONSTRUCTION PROJECT: MD 103 FROM US 29 TO LONG GATE PARKWAY

CONSTRUCTION PROJECT NO.: H02275187

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

RIGHT OF WAY PROJECT: MD 103 FROM US 29 TO LONG GATE PARKWAY
 H0227 J

RIGHT OF WAY PROJECT NO.: ISSUED January 16, 2019
 Barry C. Smith
 CHIEF, PLATS & SURVEYS DIVISION

FEDERAL AID PROJECT NO.: _____
 SCALE: 1" = 30'

ACQUISITION **PLAT No. 61252**