

County Council Of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 10

Resolution No. 107 -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 owned by Howard County, Maryland and located at Centennial Park, along Centennial Lane and Maryland Route 108, is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title to 0.8344 acres and permanent easement interests in 0.1514 acres 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 June 7, 2021.

By order

Michelle Harrod
Michelle Harrod, Administrator

Read for a second time at a public hearing on June 21, 2021.

By order

Michelle Harrod
Michelle Harrod, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on July 6, 2021.

Certified By

Michelle Harrod
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 63.625 acres of land known as
2 10000 Clarksville Pike (“Maryland Route 108”), Ellicott City Maryland as described in the deed
3 dated August 18, 1976 and recorded in the Land Records of Howard County, Maryland at Liber
4 781, Folio, 592 located at Centennial Lane/Beaverbrook Road and shown on State of Maryland
5 Department of Transportation State Highway Administration State Roads Commission Plat Nos.
6 61286 through 61288, attached hereto as Exhibit A (the “County Property”); and

7
8 **WHEREAS**, the State of Maryland, Department of Transportation, State Highway
9 Administration (the “State”) is in the process of acquiring land as part of the widening of Maryland
10 Route 108 and has requested as follows (collectively, the “Property to be Conveyed”):

- 11 1. A portion of the County Property containing approximately 0.834 acres of land in fee
12 simple, described in the legend on Plat No. 61287 and shown as “Fee Simple Area” in the
13 attached Exhibit A; and
- 14 2. A perpetual easement in a portion of the County Property containing approximately 0.072
15 acres of land described in the legend on Plat 61287 and 0.080 acres of land described in
16 the legend on Plat No. 61288, totaling 0.152 acres of land in total described and shown as
17 “Perpetual Easement Area” in the attached Exhibit A; and

18
19 **WHEREAS**, the State also seeks a temporary construction easement in 0.3734 acres of the
20 County Property, as described and shown on Plat No. 61287 in the attached Exhibit A; and

21
22 **WHEREAS**, the County Property was originally acquired with State Program Open Space
23 funding and the Property to be Conveyed will need to be replaced on a one to one ratio with land
24 of a greater value; and

25
26 **WHEREAS**, the State will pay the County the appraised value of \$116,423.25 for the
27 Property to be Conveyed, and mitigate the loss of County Property funded by Program Open Space
28 by conveying an acre of land located at 9970 Maryland Route 108 to the County; and

29
30 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
31 conveyance of the Property to be Conveyed; and

1
2 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
3 authorizes the County Council to declare that property is no longer needed for public purposes and
4 also authorizes the County Council to waive advertising and bidding requirements for an individual
5 conveyance of real property upon the request of the County Executive; and
6

7 **WHEREAS**, the County Council has received a request from the County Executive to
8 waive the advertising and bidding requirements in this instance for the conveyance of the Property
9 to be Conveyed to the State of Maryland, Department of Transportation, State Highway
10 Administration.
11

12 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
13 Maryland, this 6 day of July, 2021, that the Property to be Conveyed as
14 shown in the attached Exhibit A as the “Fee Simple Area” containing approximately 0.8344
15 acres of land in total and “Perpetual Easement Area” containing approximately 0.1514 acres of
16 land in total is no longer needed by the County for public purposes.
17

18 **AND BE IT FURTHER RESOLVED**, that the County Executive may convey fee simple
19 title to and perpetual easements in the Property to be Conveyed to the State of Maryland,
20 Department of Transportation, State Highway Administration, upon payment for the Property to
21 be Conveyed and the conveyance by the State of an acre of land located at 9970 Maryland Route
22 108.
23

24 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
25 Executive and having held a public hearing, the County Council declares that the best interest of
26 the County will be served by authorizing the County Executive to waive the usual advertising and
27 bidding requirements of Section 4.201 of the Howard County Code for the conveyance of the
28 Property to be Conveyed in fee simple or by the grant of perpetual easement interests to the State
29 of Maryland, Department of Transportation, State Highway Administration.
30

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

7-102824
7-102825

7-102823
7-102822

MARYLAND COORDINATE SYSTEM
NAD 83/91

COOPER DAWN 13341	
REC'D LIBER	FO.LIO
1	N 06°45'42" E 35.07
2	S 81°1'16" E 127.37
3	R = 25.00' L=36.78
4	CHD. S 39°02'26" E 33.55
5	S 03°05'27" W 14.70
6	R = 823.00' L=10.89
7	CHD. N 91°33'23" W 10.89
8	N 81°30'34" W 141.82
FFF SIMPLIF AREA 5.01 SQ FT OR 0.129 ACRES	
SHOWN THIS: <input type="checkbox"/>	

CURVE DATA
A = 107°14'37"
B = 67°37'22"
C = 106.96
D = 156.96
E = 316.27
F = 22.94

MICHAEL R. DRANSFIELD AND ANNE L. DRANSFIELD 13342	
REC'D LIBER	FO.LIO
1	R = 809.43' L=26.90'
2	CHD. S 74°54'04" W 26.90'
3	S 14°08'44" E 11.67'
4	S 72°07'07" W 7.65'
5	N 13°38'30" W 11.67'
6	R = 25.00' L=26.90'
7	CHD. N 22°36'24" E 27.14'
8	R = 840.00' L=106.88'
9	CHD. N 73°57'10" E 135.06'
10	N 77°25'07" E 48.28'
11	R = 203.33' L=180.98'
12	S 22°35'07" E 29.98'
13	CHD. S 82°48'09" W 180.98'
FFF SIMPLIF AREA 3.815 SQ. FT. OR 0.088 ACRES	
TEMPORARY EASEMENT AREA 495 SQ. FT. OR 0.011 ACRES	
SHOWN THIS: <input type="checkbox"/>	

BRIAN J. RAYMOND 13339	
REC'D LIBER	FO.LIO
1	N 22°36'20" W 20.18'
2	N 67°25'10" E 150.00'
3	S 28°17'15" E 37.21'
4	R = 2048.33' L=51.87'
5	CHD. S 68°17'44" W 51.87'
6	S 89°11'38" W 2.41'
7	N 20°38'01" W 9.87'
8	R = 2016.33' L=47.42'
9	CHD. S 69°56'45" W 41.42'
10	R = 809.43' L=18.29'
11	CHD. S 72°14'17" W 48.28'
FFF SIMPLIF AREA 5.402 SQ. FT. OR 0.124 ACRES	
TEMPORARY EASEMENT AREA 1,006 SQ. FT. OR 0.023 ACRES	
SHOWN THIS: <input checked="" type="checkbox"/>	

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B = 67°32'25"
C = 106.96
D = 156.96
E = 316.27
F = 22.94

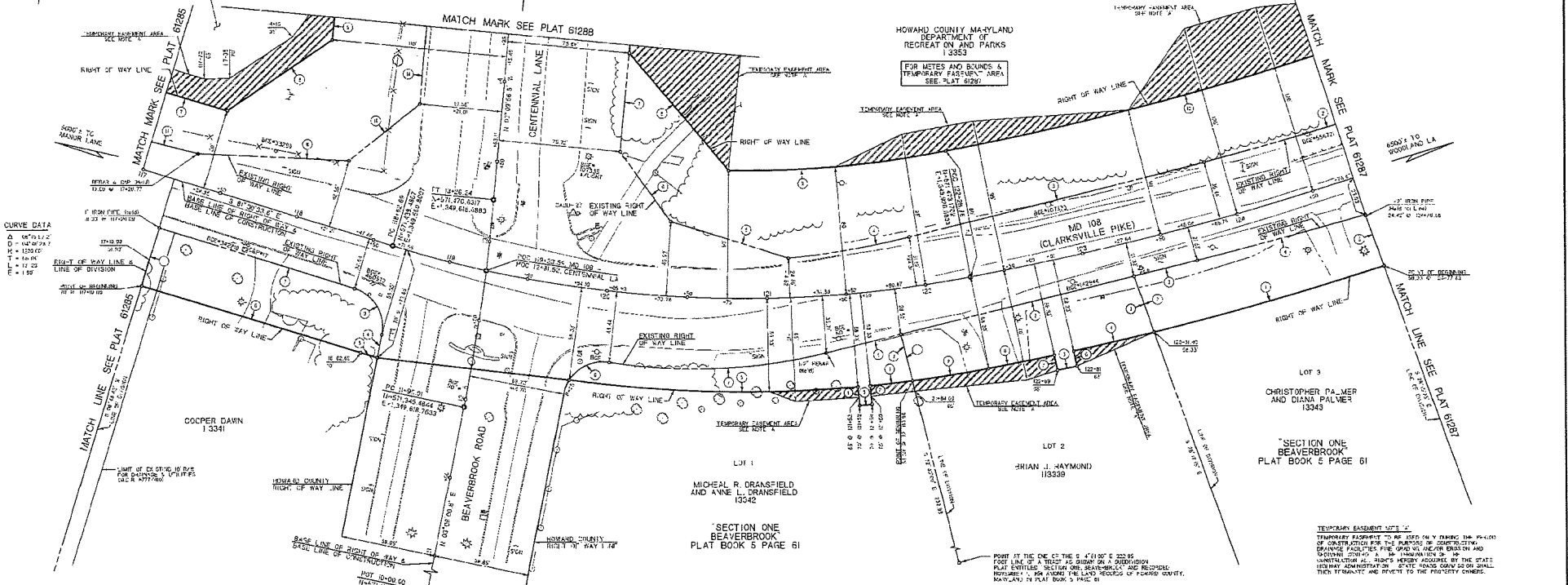
CHRISTOPHER PALMER AND DIANA PALMER 13343	
REC'D LIBER	FO.LIO
1	R = 2048.33' L=150.81'
2	CHD. S 65°27'54" W 150.48'
3	N 28°17'15" E 37.21'
4	N 67°25'10" E 40.85'
5	R = 2555.00' L=109.84'
6	CHD. N 66°11'26" E 109.82'
7	S 23°15'25" E 34.42'
FFF SIMPLIF AREA 5,425 SQ. FT. OR 0.125 ACRES	
SHOWN THIS: <input type="checkbox"/>	

MARTHA ANNE CLARK AND
MARK T. CLARK
TRUSTEES OF THE CLARK
CRUISE TRUST
113347

FOR METES AND BOUNDS &
TEMPORARY EASEMENT AREA
SEE PLAT 61284

HOWARD COUNTY MARYLAND
DEPARTMENT OF
RECREATION AND PARKS
13333

FOR METES AND BOUNDS &
TEMPORARY EASEMENT AREA
SEE PLAT 61285



CURVE DATA
A = 107°14'37"
B = 67°37'22"
C = 106.96
D = 156.96
E = 316.27
F = 22.94

TEMPORARY EASEMENT AREA
FOR CONSTRUCTION OF THE NORTH-SOUTH PARKING AND
DRIVEWAY FACILITIES FOR THE STATE HIGHWAY ADMINISTRATION
AND NATIONAL HIGHWAY SYSTEMS. THIS EASEMENT IS TO BE
REMOVED UPON THE COMPLETION OF THE PROJECT. THE STATE
HIGHWAY ADMINISTRATION SHALL BE RESPONSIBLE FOR THE
REMOVAL OF THE EASEMENT UPON THE COMPLETION OF THE
PROJECT. THIS EASEMENT IS SUBJECT TO THE TERMS AND
CONDITIONS OF THE PLAT BOOK 61284.

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 PLAT
AND THE SURVEYING WORK REFLECTED ON IT. THIS PLAT
WAS DEVELOPED IN COMPLIANCE WITH THE REQUIREMENTS
SET FORTH IN COMAR REGULATION 09.15.04.

MARK A. WILD
PROFESSIONAL LAND SURVEYOR
NO. AND REG. NO. 21194
EXP. DATE 08/03/2019
DATE 11-25-2017



LEGEND OF PROPOSED EASEMENTS
 [Symbol] TEMPORARY EASEMENT FOR SPECIAL PURPOSE AS
 INDICATED BY NOTATION ON THIS PLAT
 [Symbol] TEMPORARY EASEMENT FOR ALTERNATE EASEMENT
 [Symbol] PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON
 THIS PLAT
 [Symbol] PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON
 THIS PLAT
 [Symbol] PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON
 THIS PLAT
 [Symbol] PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON
 THIS PLAT

3000 NO RECORDED CHYCE
APPROVED BY:
STATE ROADS COMMISSION CHAIRMAN

NO.	DATE	REVISION

BLK/CD	PART OF PLATS	POINT DESCRIPTION
100-1	100-1	100-1
100-2	100-2	100-2
100-3	100-3	100-3
100-4	100-4	100-4
100-5	100-5	100-5
100-6	100-6	100-6
100-7	100-7	100-7

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

RIGHT OF WAY PROJECT: MD 108 AT CENTENNIAL LANE
/ BEAVERBROOK ROAD
H0149

RIGHT OF WAY PROJECT NO. 114
ISSUED 11/25/2017
FEDERAL AID PROJECT NO. 114
SCALE: 1"=30'
CHRYL PLATE'S SURVEYS DIVISION

ACQUISITION PLAT No. 61286

DATE: 01/11/2017
 TIME: 10:55 AM
 DRAWN BY: J. L. HARRIS
 CHECKED BY: J. L. HARRIS

SECTION 8 - PARCEL A

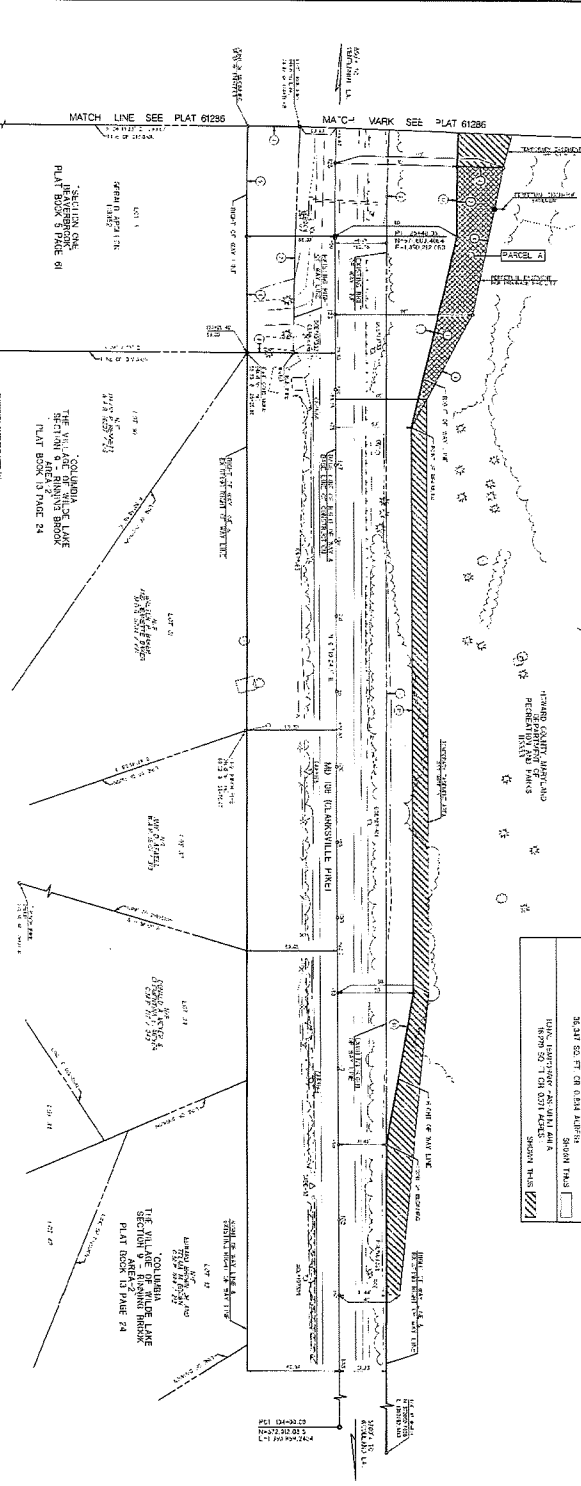
REC'D	LENGTH	FIG. 2	AREA
1	11.47	1	1,211.57
2	11.47	2	1,211.57
3	11.47	3	1,211.57
4	11.47	4	1,211.57
5	11.47	5	1,211.57

SECTION 8 - PARCEL A

REC'D	LENGTH	FIG. 2	AREA
1	11.47	1	1,211.57
2	11.47	2	1,211.57
3	11.47	3	1,211.57
4	11.47	4	1,211.57
5	11.47	5	1,211.57

SECTION 8 - PARCEL A

REC'D	LENGTH	FIG. 2	AREA
1	11.47	1	1,211.57
2	11.47	2	1,211.57
3	11.47	3	1,211.57
4	11.47	4	1,211.57
5	11.47	5	1,211.57



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

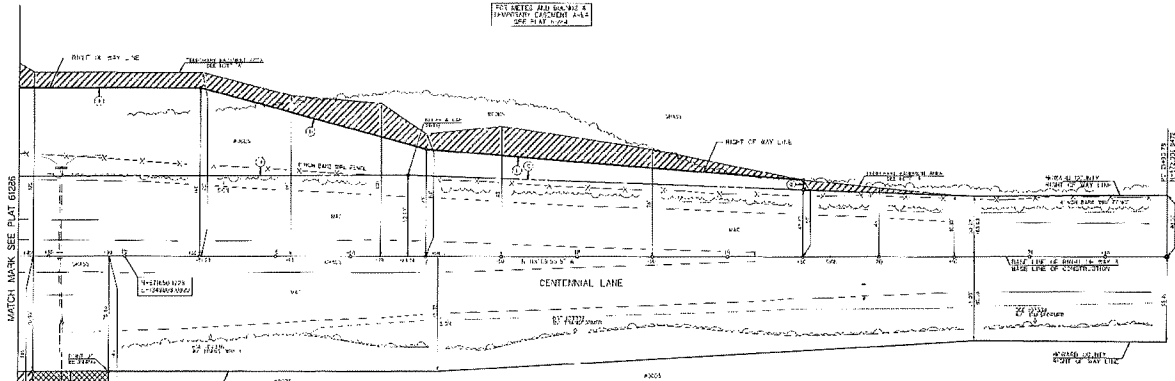
RIGHT OF WAY PROJECT: I-83
PROJECT NO.: 2017-01
SECTION: 8
PLAT NO.: 61287

DATE: 01/11/2017
TIME: 10:55 AM
DRAWN BY: J. L. HARRIS
CHECKED BY: J. L. HARRIS

MARYLAND COORDINATE SYSTEM
NAD 83/91

WALTER ANNE CLARK AND
WARD T. CLARK
TRUSTEES OF THE TCHRA
CRIST TRUST
1974

FOR SETBACK AND MAINTENANCE
EASEMENT 60 FEET WIDE
SEE SLAT 61288



INWARD COUNTY MARYLAND
DEPARTMENT OF
RECREATION AND PARKS
SECTION B

LINE NO.	BEARING	DISTANCE
1	N 00° 00' 00" E	15.00
2	S 03° 00' 00" W	15.00
3	S 05° 00' 00" W	15.00
4	N 05° 00' 00" E	15.00

PERPETUAL EASEMENT AREA
3,465 SQ. FT. OR THEREABOUTS
SHOW TRUS

INWARD COUNTY MARYLAND
DEPARTMENT OF
RECREATION AND PARKS
SECTION B
FOR SETBACK AND MAINTENANCE
EASEMENT 60 FEET WIDE
SEE SLAT 61288

"I HEREBY CERTIFY THAT THE
RECORDING OF THIS INSTRUMENT IS
IN ACCORDANCE WITH THE
REQUIREMENTS OF THE
PROPERTY RECORDS ACT OF
1986 AND IS SUBJECT TO THE
PROPERTY RECORDS ACT OF
1986."

SECTION	DATE	BY	FOR
1	01/15/2010	J. S. PUGH	PREPARED
2	01/15/2010	J. S. PUGH	CHECKED
3	01/15/2010	J. S. PUGH	APPROVED

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

RIGHT OF WAY PROJECT: MD 104 AT E. BETHUNE AVE
ACQUISITION ROAD

RIGHT OF WAY PROJECT NO. 10440.1
ISSUED: 11/15/2009
FEDERAL AID PROJECT NO.
SCALE: 1"=50'

ACQUISITION PLAT No. 61288

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

FOR SETBACK AND MAINTENANCE
EASEMENT 60 FEET WIDE
SEE SLAT 61288

WALTER ANNE CLARK AND
WARD T. CLARK
TRUSTEES OF THE TCHRA
CRIST TRUST
1974

FOR SETBACK AND MAINTENANCE
EASEMENT 60 FEET WIDE
SEE SLAT 61288

SECTION B - INTEREST PAYMENTS

SECTION B - INTEREST PAYMENTS

SECTION B - INTEREST PAYMENTS

NO.	DATE	DESCRIPTION
1	01/15/2010	PREPARED
2	01/15/2010	CHECKED
3	01/15/2010	APPROVED

NO.	DATE	DESCRIPTION
1	01/15/2010	PREPARED
2	01/15/2010	CHECKED
3	01/15/2010	APPROVED

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

RIGHT OF WAY PROJECT: MD 104 AT E. BETHUNE AVE
ACQUISITION ROAD

RIGHT OF WAY PROJECT NO. 10440.1
ISSUED: 11/15/2009
FEDERAL AID PROJECT NO.
SCALE: 1"=50'

ACQUISITION PLAT No. 61288




Howard County

Internal Memorandum

Subject: Testimony & Fiscal Impact Statement
Council Resolution No. -2021 declaring that portions of certain real property located at Centennial Park and located at Centennial Lane and MD Route 108 and owned by Howard County, Maryland are no longer needed by the County for a public purpose.

To: Lonnie R. Robbins,
Chief Administrative Officer

From: Thomas J. Meunier, Director
Department of Public Works 

Date: May 10, 2021

The Department of Public Works (DPW) has been designated coordinator for preparation of testimony: i) declaring that approximately 0.8344 acres of real property owned by Howard County is no longer needed for public purposes; ii) authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the property to the adjacent property owner, The State of Maryland, Department of Transportation, State Highway Administration ("SHA") as part of the widening of Maryland Route 108 and providing that the County Executive is not bound to terminate the County's interest in the property if he finds that the property may have a further public use; and iii) to facilitate construction of the widening, authorizing the establishment of approximately 0.3737 acres of temporary construction easements and approximately 0.1514 acres of perpetual easements areas adjacent to the real property to be conveyed.

The County is owner of approximately 0.8344 acres of land (the "Property to be Conveyed"), located within Centennial Park at Centennial Lane and Maryland Route 108 and shown on State of Maryland Department of Transportation State Highway Administration State Roads Commission Plat Nos. 61286, 61287, and 61288 attached hereto as Exhibit "A", being part of approximately 63.625 acres of land known as Parcel No. 9 on Tax Map 30 and described in the deed dated August 18, 1976, and recorded in the Land Records of Howard County, Maryland at Liber 781, Folio, 592 in the Land Records of Howard County, Maryland (the "County Property").

The SHA owns the adjacent land and needs to acquire the Property to be Conveyed in fee simple in order to complete the widening of Maryland Route 108. In addition, the SHA needs to acquire approximately 0.1514 acres of perpetual easements and approximately 0.3737 acres of temporary easements along Maryland Route 108 and Centennial Lane. The County has determined that the Property to be Conveyed is no longer needed for a public purpose and the proposed easements have been approved subject to the payment of the appraised values as set forth below:

	Acreage	Proposed Compensation/ Appraised Value
Proposed R/W	0.8344	\$100,129.48
Temporary Easements	0.3737	\$4,484.57
Perpetual Easements	0.1514	\$11,809.20
Total		\$116,423.25

Due to the County Property having been originally bought with funds from Program Open Space (POS) and having engaged in preliminary POS conversion requirements discussions with the Maryland Department of Natural Resources (MDNR), the State agency responsible for the administration of Program Open Space, the proposed 0.8344-acre Property to be Conveyed and the 0.1514 acres of perpetual easements to be created within Centennial Park adjacent to the Property to be Conveyed are required to be replaced on a one-to-one basis with land of equal or greater appraised value, area, and recreational value. The SHA has therefore agreed to mitigate the County's loss of parkland and the acquisition of the proposed perpetual easements. SHA will acquire and transfer to the County, the 1-acre McTague property located at 9970 Route 108, Ellicott City, Maryland 21042, adjacent to Centennial Park. The McTague property is valued at \$474,500.00. The 0.3737 acres of temporary easements associated with this SHA project will not require POS conversion per discussions with MDNR.

The McTague property, currently owned by Hugh Ronald McTague and Katherine McTague and known as Parcel No. 126 on Tax Map 30, comprising approximately 1 acre, was acquired by deed dated September 10, 1998, recorded in Liber 4485, Folio, 412 in the Land Records of Howard County, Maryland. The McTague property is shown on the map, attached hereto as Exhibit "B". The Department of Recreation and Parks (DRP) has both recommended and approved the McTague property as a replacement property for the required POS conversion process.

There is no detrimental fiscal impact to the County at this time.

Representatives of DPW and DRP will be present at the public hearing to answer any questions or concerns. If you require any further information concerning this matter or have any additional questions, please do not hesitate to contact me at your convenience.

cc: Jennifer Sager
Raul Delerme

Exhibit "A"

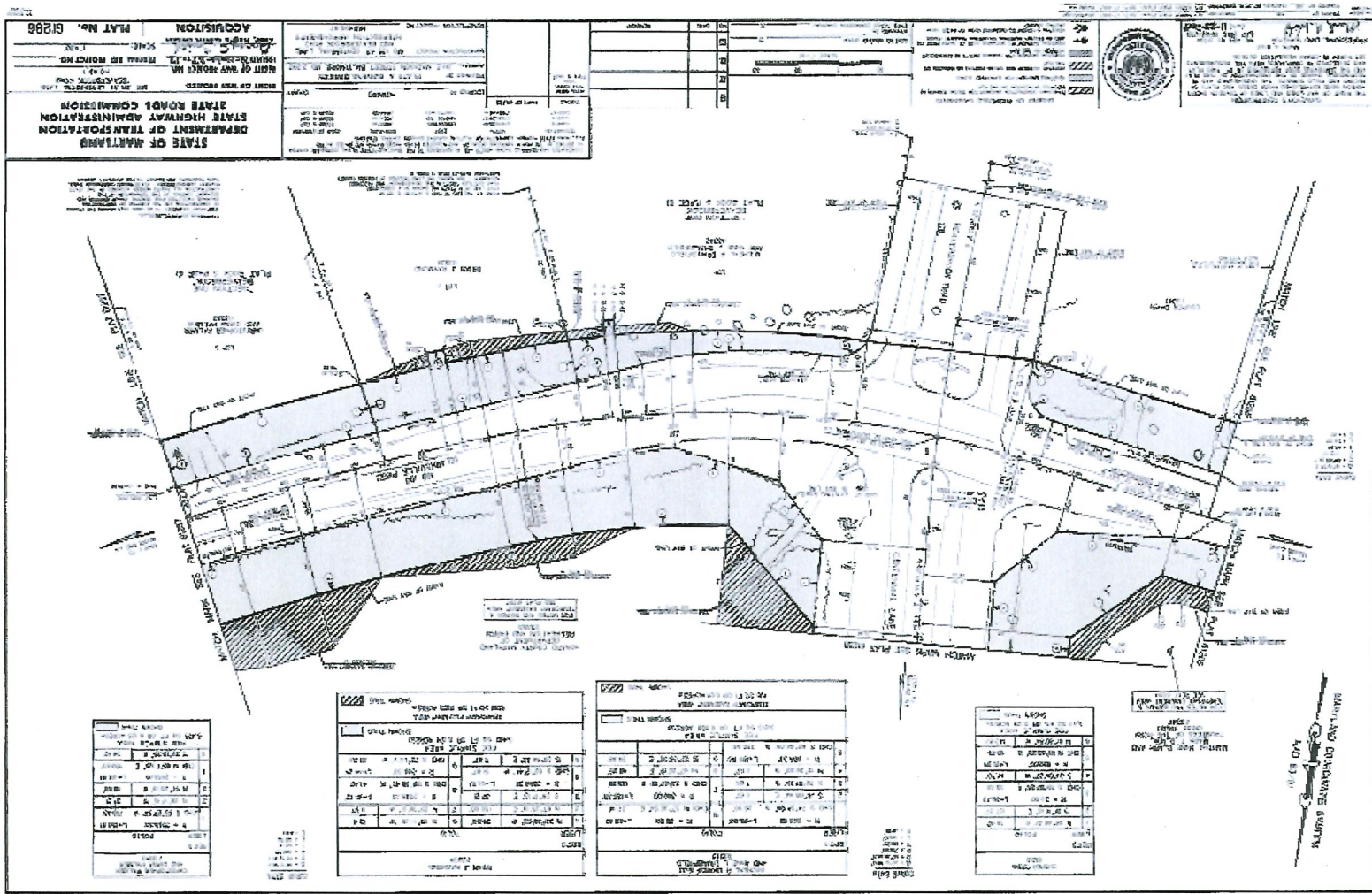
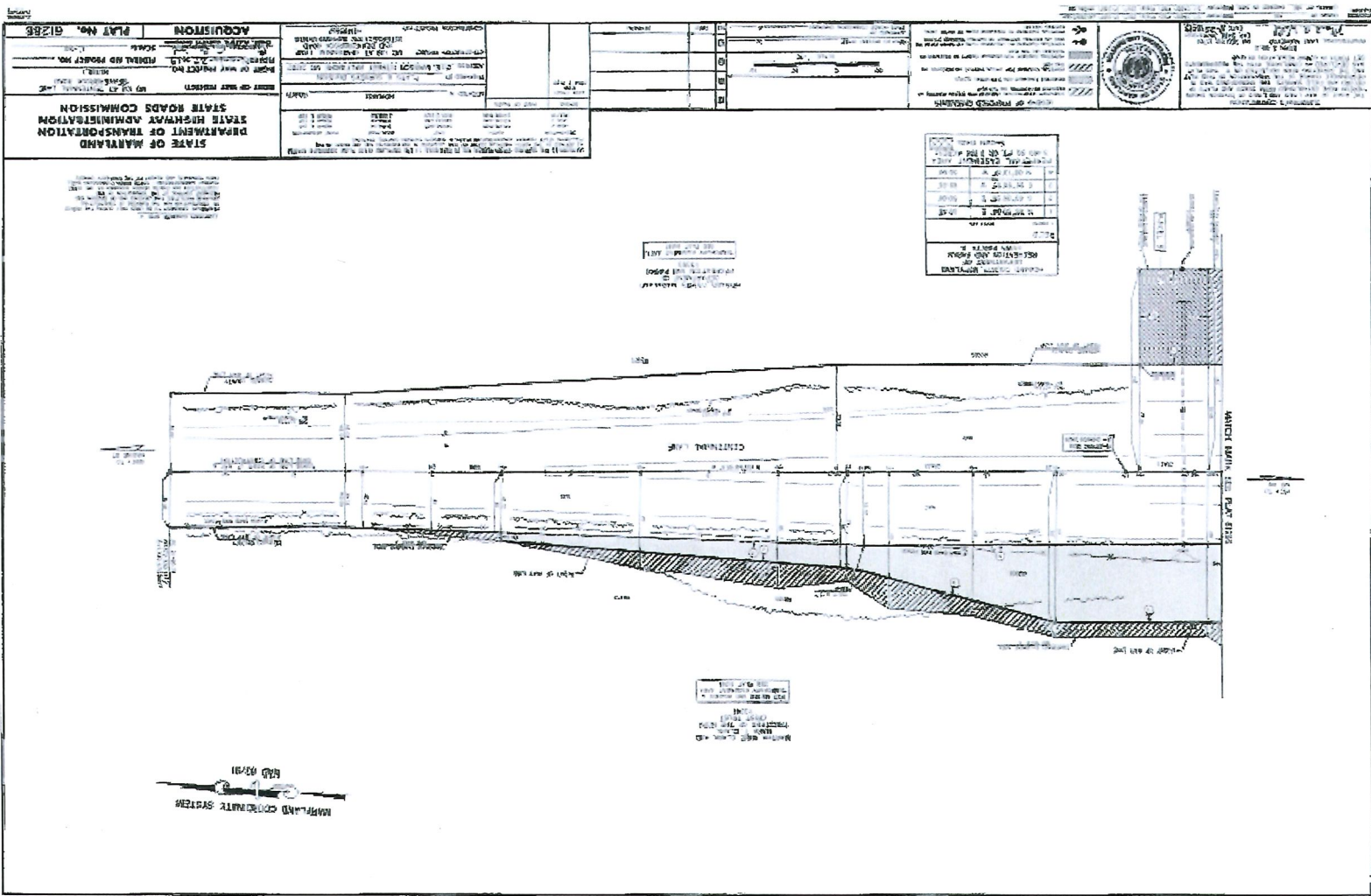


Exhibit "A"



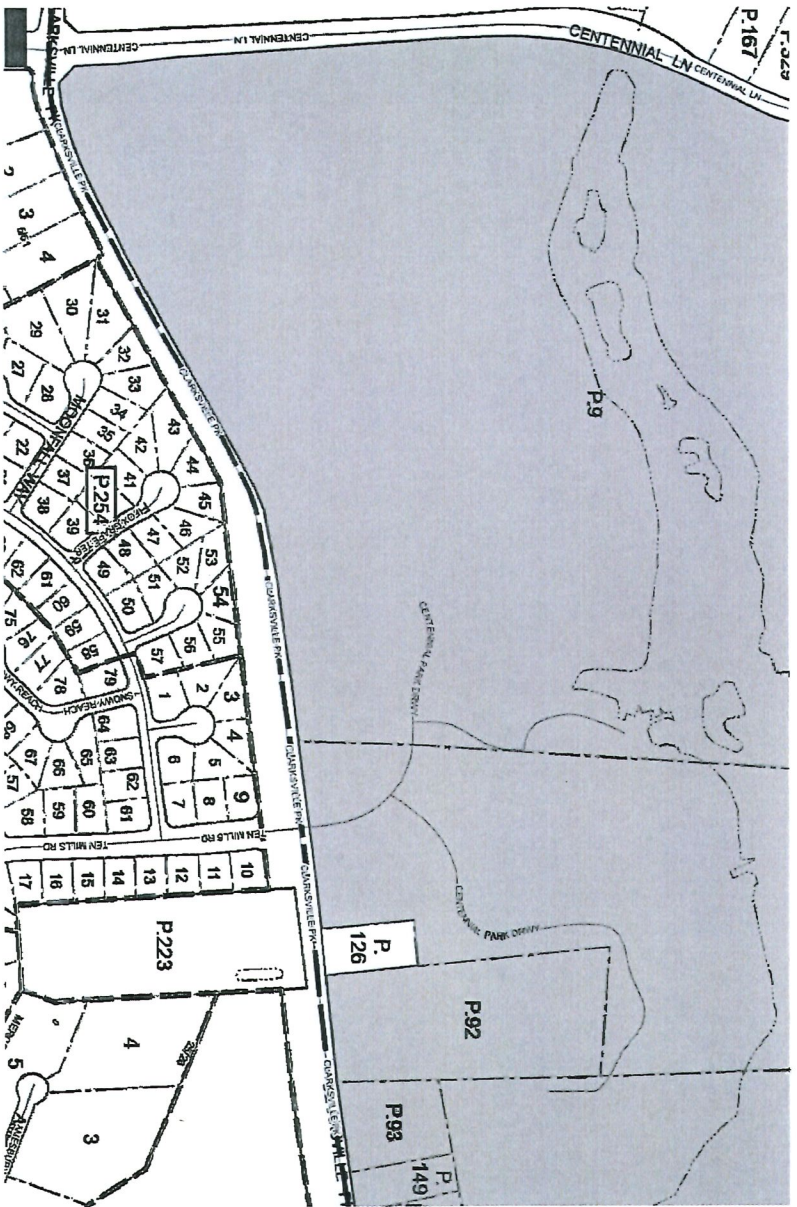



Exhibit "B"



Howard County
Internal Memorandum

Subject: Council Resolution No. 107-2021

To: Liz Walsh,
County Council Chairperson

From: Lonnie R. Robbins,
Chief Administrative Officer 

Date: June 21, 2021

The Administration requests that Council Resolution No. 107-2021 be withdrawn at the Council's next legislative session.

The reason for this request is that the terms of the conveyance as laid out in CR107 may be changing at the request of the State. Work on the 108/Centennial Improvements will not be impacted by the withdrawal of CR107.

If you have any questions about this matter, please feel free to contact Jennifer Sager, the Legislative Coordinator, at extension 2164. Thank you.