

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 15

Resolution No. 147-2021

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

A RESOLUTION declaring that a total of approximately 0.1431 acres of real property owned by Howard County and identified as a portion of Roxbury Road is no longer needed for a public purpose and 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 owner of the adjacent property upon the payment of certain consideration; 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 Sept 8, 2021.

By order Michelle Harrod
Michelle Harrod, Administrator

Read for a second time at a public hearing on Sept 20, 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 October 4, 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**, Howard County, Maryland (the “County”) is the fee simple owner of
2 certain real property known as a portion of closed Roxbury Road containing approximately
3 0.1431 acres of land (the “County Property”) as acquired by Deed dated April 23, 2009 and
4 recorded among the Land Records of Howard County, Maryland on January 3, 2011 in Liber
5 12984, folio 387; and

6
7 **WHEREAS**, by passage of Council Resolution No. 28-2020, the County Council closed
8 a portion of Roxbury Road; and

9
10 **WHEREAS**, the County has received a request from Roxbury View, LLC, the owner of
11 property adjacent to closed Roxbury Road, to convey the County Property in accordance with
12 Section 4.201 of the Howard County Code; and

13
14 **WHEREAS**, the County Property requested to be conveyed (0.1431 acres) is smaller
15 than the portion of Roxbury Road that was closed by Council Resolution No. 28-2020 and is
16 described in Exhibit A and shown in Exhibit B; and

17
18 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
19 conveyance of the County Property; and

20
21 **WHEREAS**, two appraisals of the County Property have been conducted and Roxbury
22 View, LLC will pay the average of those two appraisals (\$970) plus the cost of the appraisals,
23 totaling \$5,425 for the County Property; and

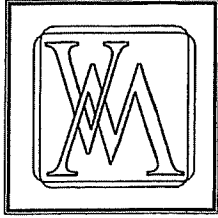
24
25 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
26 authorizes the County Council to declare that property is no longer needed for public purposes
27 and also authorizes the County Council to waive advertising and bidding requirements for an
28 individual conveyance of real property upon the request of the County Executive; and

1 **WHEREAS**, the County Council has received a request from the County Executive to
2 waive the advertising and bidding requirements in this instance for the conveyance of the County
3 Property to the adjacent property owner, Roxbury View, LLC.
4

5 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
6 Maryland, this 4 day of October, 2021, that the County Property comprising
7 approximately 0.1431 is no longer needed for a public purpose and may be conveyed to Roxbury
8 View, LLC, as described in the attached Exhibit A and as shown in the attached Exhibit B, upon
9 payment of the agreed-upon purchase price for the County Property.
10

11 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
12 Executive and having held a public hearing, the County Council declares that the best interest of
13 the County will be served by authorizing the County Executive to waive the usual advertising
14 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
15 the County Property to Roxbury View, LLC.
16

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



**VANMAR
ASSOCIATES, INC.**

Engineers • Surveyors • Planners

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Metes and Bounds Description

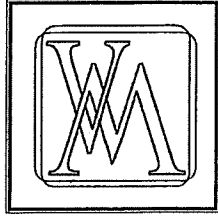
**For a Portion of Roxbury Road
Across Part of the Lands Conveyed to
Howard County, Maryland
In Liber M.D.R. 12984, Folio 387**

and

**Across Part of the Lands Dedicated on
Howard County Plat No. 21349, “Meriwether Farm,
Section Two, Buildable Bulk Parcel ‘A’ and
Non-Buildable Preservation Parcel ‘B’”**

Being a certain parcel of land, situated within the dedicated area of Roxbury Road, in the 4th Election District, of Howard County, Maryland; being a part of all of those parcels of land, dedicated to Howard County, Maryland, for the purpose of a public road, which by Deed dated April 23, 2009, and recorded among the Land Records of Howard County, Maryland (all deed and plat references hereafter refer to said Land Records) in Liber M.D.R. 12984, Folio 387, was granted and conveyed by Meriwether Farm II, LLC, a Maryland limited liability company, to Howard County, Maryland, a body corporate and politic; also being a part of all of that parcel of land, described as being 1.266 acres, more or less, dedicated to Howard County, Maryland, for the purpose of a public road, as shown and designated on a Plat of Record entitled, “Meriwether Farm, Section Two, Buildable Bulk Parcel ‘A’, and Non-Buildable Preservation Parcel ‘B’”, which Plat is recorded as Plat No. 21349; and now being more particularly described in the datum of the Maryland State Plane Coordinate System (NAD 1983/2011), and in accordance with a Boundary Survey performed by VanMar Associates, Inc., as follows:

Beginning for the same at a point of tangency situated at the end of the South 73° 12' 43" West, 131.95-foot line, of Non-Buildable Preservation Parcel ‘B’, as shown and designated on a Plat of Record entitled, “Meriwether Farm, Section Two, Buildable Bulk Parcel ‘A’ and Non-Buildable Preservation Parcel ‘B’”, which Plat is recorded as Plat No. 21349; said point of beginning also being situated on the northwesternmost right-of-way line of Roxbury Road, of variable width; thence leaving said point of beginning, and running with and binding reversely on the aforesaid South 73° 12' 43" West, 131.95-foot line, and also running with and binding reversely on the curve shown and designated with



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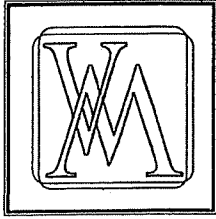
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a radius of 393.54 feet and an arc length of 39.06 feet, and the South 14° 03' 34" West, 26.91-foot line, respectfully, of the aforesaid Non-Buildable Preservation Parcel 'B', of the aforementioned Plat recorded as Plat No. 21349; and also running with and binding on the aforesaid northwesternmost right-of-way line of Roxbury Road, the following three (3) courses; in accordance with a Boundary Survey performed by VanMar Associates, Inc., and referring the courses herein to the datum of the Maryland State Plane Coordinate System (NAD 1983/2011),

- 1) North 73° 12' 43" East, 131.95 feet to a point of curvature; thence,
- 2) by a tangent curve to the right, having a radius of 393.54 feet, a central angle of 05° 41' 12", and an arc length of 39.06 feet; said arc being subtended by a chord bearing and distance of North 76° 03' 19" East, 39.04 feet to a point; and,
- 3) North 14° 03' 34" East, 26.91 feet to a point; thence leaving said point, and leaving the aforesaid Non-Buildable Preservation Parcel 'B', of the aforementioned Plat recorded as Plat No. 21349, and also leaving the aforesaid northwesternmost right-of-way line of Roxbury Road, and running over, across, under, and through the dedicated area of Roxbury Road, of the aforementioned Plat recorded as Plat No. 21349; for the purpose of establishing a new right-of-way line for the southernmost side of Roxbury Road, with variable width, the following two (2) courses:
 - 4) South 50° 59' 30" East, 2.18 feet to a point of curvature; and,
 - 5) by a tangent curve to the left, having a radius of 449.55 feet, a central angle of 09° 25' 17", and an arc length of 73.92 feet; said arc being subtended by a chord bearing and distance of South 55° 42' 09" East, 73.84 feet to a point situated on a curve shown and designated with a radius of 368.54 feet and an arc length of 232.02 feet, of an Area of Dedication for Roxbury Road, as shown and designated on a Plat of Record entitled, "Subdivision of Chase Farm, near Glenelg"; which Plat is recorded as Plat No. 4598; said point being distant North 80° 50' 05" West, 129.50 feet from a point of tangency at the end of said curve; thence leaving said point, and running with and binding reversely on a part of the aforesaid curve with a radius of 368.54 feet and an arc length of 232.02 feet, and also running with and binding reversely on a part of the North 74° 03' 15" East, 208.56-foot line, respectively, of the aforesaid Area of Dedication for Roxbury Road, of the aforementioned Plat recorded as Plat No. 4598; the following two (2) courses:



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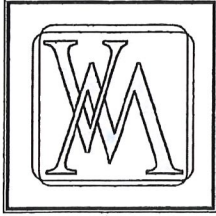
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- 6) by a non-tangent curve to the left, having a radius of 368.54 feet, a central angle of $15^{\circ} 50' 09''$, and an arc length of 101.86 feet; said arc being subtended by a chord bearing and distance of South $81^{\circ} 07' 42''$ West, 101.54 feet to a point of tangency; and,
- 7) South $73^{\circ} 12' 38''$ West, 157.42 feet to a point; thence leaving said point, and leaving the aforesaid Area of Dedication for Roxbury Road, of the aforementioned Plat recorded as Plat No. 4598; and running over, across, under, and through the dedicated area of Roxbury Road, of the aforementioned Plat recorded as Plat No. 21349; the following course:
- 8) North $00^{\circ} 35' 00''$ East, 28.02 feet to a point situated on a curve shown and designated with a radius of 57.82 feet and an arc length of 42.82 feet, of the aforesaid Non-Buildable Preservation Parcel 'B', of the aforementioned Plat recorded as Plat No. 21349; said point being distant South $76^{\circ} 53' 12''$ East, 25.09 feet from a point of compound curvature at the end of said curve; said point also being situated on the aforesaid northwesternmost right-of-way line of Roxbury Road; thence leaving said point, and running with and binding reversely on a part of the aforesaid curve with a radius of 57.82 feet and an arc length of 42.82 feet, of the aforesaid Non-Buildable Preservation Parcel 'B', of the aforementioned Plat recorded as Plat No. 21349; and also running with and binding on the aforesaid northwesternmost right-of-way line of Roxbury Road; the following course:
- 9) by a non-tangent curve to the left, having a radius of 57.82 feet, a central angle of $17^{\circ} 22' 17''$, and an arc length of 17.53 feet; said arc being subtended by a chord bearing and distance of North $81^{\circ} 53' 51''$ East, 17.46 feet to the point of beginning.

The area of land contained by the foregoing amounts to 6,233 square feet, or 0.1431 acres, more or less.

Subject to and together with rights of way, easements, encumbrances, and appurtenances of record.



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The Undersigned either personally prepared this metes and bounds description, or was in responsible charge over its preparation and the work reflected in it. This metes and bounds description is in compliance with COMAR Sections 09.13.06.08 and 09.13.06.12 of the Minimum Standards of Practice as now adopted by the Maryland Board for Professional Land Surveyors. This metes and bounds description was prepared without the benefit of a Title Report, and is subject to all easements, Rights-of-Ways, and covenants of record.

Jeffery W. Elkins

FEBRUARY 16, 2021

Jeffery W. Elkins
Professional Land Surveyor
Maryland License No. 21512
Expiration Date: August 4, 2021

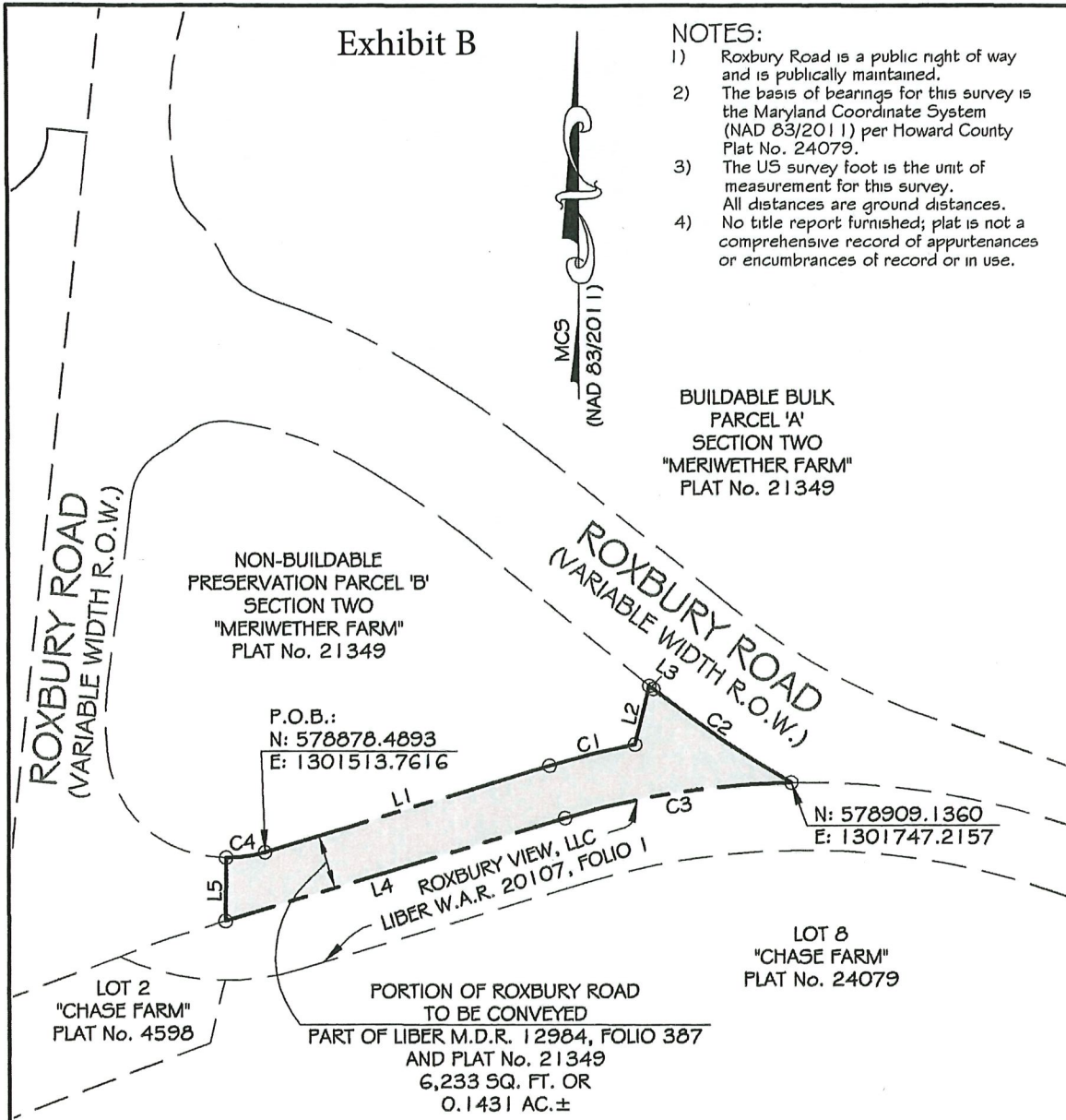
Date:



Exhibit B

NOTES:

- 1) Roxbury Road is a public right of way and is publically maintained.
- 2) The basis of bearings for this survey is the Maryland Coordinate System (NAD 83/2011) per Howard County Plat No. 24079.
- 3) The US survey foot is the unit of measurement for this survey. All distances are ground distances.
- 4) No title report furnished; plat is not a comprehensive record of appurtenances or encumbrances of record or in use.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 73°12'43" E	131.95'
L2	N 14°03'34" E	26.91'
L3	S 50°59'30" E	2.18'
L4	S 73°12'38" W	157.42'
L5	N 00°35'00" E	28.02'

CURVE DATA						
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	DELTA ANGLE	CHORD BEARING	TANGENT
C1	393.54'	39.06'	39.04'	05°41'12"	N 76°03'19" E	19.55'
C2	449.55'	73.92'	73.84'	09°25'17"	S 55°42'09" E	37.04'
C3	368.54'	101.86'	101.54'	15°50'09"	S 81°07'42" W	51.26'
C4	57.82'	17.53'	17.46'	17°22'17"	N 81°53'51" E	8.83'



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21512, EXPIRATION DATE AUGUST 4, 2021, IN ACCORDANCE WITH COMAR 09.13.06.12.

Jeffrey W. Elkins 2/16/2021
 Date

For VanMar Associates, Inc.
 Jeffrey W. Elkins, Prof. Land Surveyor

PLAT OF SURVEY
 FOR A PORTION OF
ROXBURY ROAD
 ACROSS PART OF THE LANDS
 DEDICATED TO HOWARD COUNTY, MD.
 ON HOWARD COUNTY PLAT No. 21349
 AND PART OF
 LIBER M.D.R. 12984, FOLIO 387
 ELECTION DISTRICT NO. 4
 HOWARD COUNTY, MARYLAND
 SCALE: 1" = 60' FEBRUARY, 2021

I CERTIFY THIS PLAT TO BE CORRECT; IT IS THE RESULT OF AN ACTUAL FIELD SURVEY, BASED ON DATA FOUND AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND, AS REFERENCED HEREON.

REFERENCE	JOB NO.
PLATS Nos. 4598 and 21349	B3-5383



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