



Howard County

Internal Memorandum

Subject: Testimony & Fiscal Impact Statement
Council Resolution No.165 - 2021, declaring that portions of a Sewer and Utility Easement, containing approximately 1,189 square feet is no longer needed by the County for public purposes; authorizing the County Executive to terminate the easement interest in the property of the fee simple owner, PS Atlantic Coast 2021 B, LLC; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the easement interest to PS Atlantic Coast 2021 B, LLC; and providing that the County Executive is not bound to terminate the easement interest if he finds that the easement may have a public use.

To: Lonnie R. Robbins,
Chief Administrative Officer

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

Date: October 21, 2021

The Department of Public Works has been designated coordinator for preparation of testimony declaring that a portion of a Sewer and Utility Easement containing approximately 1,189 square feet, conveyed to Howard County, Maryland, is no longer needed by the County for public purposes, authorizing the County Executive to convey the easement interest in the property to the fee simple owner, PS Atlantic Coast 2021 B, LLC (the "Owner"); and providing that the County Executive is not bound to terminate the easement interest if he finds that the easement may have a further public use.

As part of Capital Project SP-6021 – Contract 609S-27, the County acquired a right of way for a sewer main (the "Sewer and Utility Easement") by (1) Deed and Agreement dated December 11, 1975 and recorded among the Land Records of Howard County, Maryland in Liber 753, folio 272, on January 23, 1976, and by (2) Deed and Agreement dated December 11, 1975 and recorded among the Land Records of Howard County, Maryland in Liber 753, folio 276, on January 23, 1976, on that certain real property commonly known as 9235 Berger Road, Columbia Maryland 21046.

The Owner is the fee simple owner of that certain real property commonly known as 9225, 9235, 9245, and 9255 Berger Road, Columbia, Maryland and shown as Parcels A-3, A-4, A-5 and A-6 on Tax Map 42 (collectively, the "Property").

The Director of Public Works has received a written petition from the Owner to release a portion of the Sewer and Utility Easement containing 1,189 square feet, as described and shown as "Ex. 20' Public Sewer & Utility Easement To Be Abandoned By This Plat 1,189 SF or 0.02729" (the "Easement to be Abandoned") on the attached revision plat titled "Resubdivision Plat, Connell Property, Parcels A-3, A-4, & A-7, a Resubdivision of Parcels A-5 & A-6 as Shown on a Plat Entitled "Connell Property Parcels A-3, A-4, A-5 & A-6" and Recorded as Plat No. 23858" (the "Plat").

Lonnie R. Robbins
Page – 2
October 21, 2021

The County has reviewed the plans submitted by the Owner: (i) SDP-20-077 titled “Site Development Plan, ezStorage Columbia Expansion, 9225, 9235, 9245, 9255, 9265 Berger Road, 6th Election District, Howard County, Maryland”, and (ii) Contract No. 20-5148-D titled “Final Sewer Construction Plan, ezStorage Columbia Expansion, Berger Road, 6th Election District, Howard County, Maryland, Contract No. 20-5148-D” (collectively, the “Plans”), and has determined that the Easement to be Abandoned is no longer required for public purposes.

In accordance with the Plans, the Owner shall modify the existing sewer main and construct a new 8” sewer main on the Property within the easement area dedicated to the County described and shown as “20’ Public Sewer & Utility Easement” on the Plat.

Section 4.201, “Disposition of real property” of the Howard County Code authorizes the County Council to declare that the Easement to be Abandoned is no longer needed for the public purposes.

There is no fiscal impact associated with this termination of easement.

Representatives of this department 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.

TJM/EI

cc: Jennifer Sager
File

RIM/Legislation/2021/ezStorageColumbiaExpansion-SDP-20-077-Contract No. 20-5148-D/Testimony