

**Amendment 3 to Council Resolution No. 16 - 2022**

**BY: Liz Walsh**

**Legislative Day 5**

**Date: March 7, 2022**

**Amendment No. 3**

*(This amendment requests that the County Executive identify an alternative to the conveyance in fee simple of the subject property given that continued intended use of the property does not require such conveyance.)*

1 On the title page, strike the title in its entirety and substitute the following:

2 “A RESOLUTION requesting that the County Executive identify an alternative to the  
3 conveyance in fee simple of that portion of land containing a total of 1,669 square feet or  
4 0.0383 acres owned by Howard County, Maryland located on Main Street in Ellicott  
5 City.”.

6

7 On page 1, in line 11, strike the comma and substitute “; and”.

8

9 On page 1, strike beginning in line 12 through line 24 on page 2, and substitute the following:

10 “WHEREAS, in July 2021, in sworn testimony before the County’s Historic Preservation  
11 Commission seeking advisory comments on the subdivision of land at issue in this  
12 resolution (per the July 2021 minutes thereof), “the proposed purchase[r] of the property  
13 Mr. Hemmis said that he did not need to purchase the land and would be fine with an  
14 easement, but that was not a possibility with the county due [to] the sale of alcohol;” and

15

1 WHEREAS, pursuant to Section 6-321 of the Alcoholic Beverages Article of the  
2 Maryland Code, however, any individual is permitted to consume an alcoholic beverage  
3 on “public property if authorized by the governmental entity that has authority over the  
4 property”—that is, in this case, the County Executive and Administration, not dissimilar  
5 to when approval is given for One-Day Liquor licenses on County property, or for the  
6 extended practice of selling and consuming alcohol on county land during the still-  
7 ongoing local COVID-19 State of Emergency; and

8  
9 WHEREAS, conveyance in fee simple of any part of the County property is not required  
10 for the adjacent landowner’s continued intended use of that property.

11  
12 NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County,  
13 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2022, to request that the County  
14 Executive identify an alternative to the conveyance in fee simple of that portion of the  
15 County property as described in Exhibit A and as shown in Exhibit B, containing  
16 approximately 1,669 square feet or 0.0383 acres of land in total.”.