

County Council of Howard County, Maryland

2022 Legislative Session

Legislative Day No. 13

Resolution No. 131 -2022

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

A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant easements to Baltimore Gas and Electric Company so that it can extend three phase electric service to the Old Annapolis Brine Facility in Ellicott City; 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 grant the easements if he finds that the property may have a further public use.

Introduced and read first time _____, 2022.

By order _____
Michelle Harrod, Administrator

Read for a second time at a public hearing on _____, 2022.

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 _____, 2022.

Certified By _____
Michelle Harrod, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL 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 fee simple owner of the newly constructed Old Annapolis
2 Road Brine Facility (collectively the “Brine Facility”) located on Old Annapolis Road in Ellicott
3 City; and

4
5 **WHEREAS**, the new Brine Facility requires three-phase electric service but is currently
6 served by single phase electric service; and

7
8 **WHEREAS**, in order to upgrade the electric service to the Brine Facility, Baltimore Gas
9 and Electric Company (“BGE”) requires two easements at the Brine Facility to provide the
10 additional electric service to meet the load requirements of the new Brine Facility; and

11
12 **WHEREAS**, the easements requested by BGE include easements in (1) a portion of
13 County property containing approximately 1,579 square feet (0.0362 acres) of Parcel 399 and (2)
14 a portion of County property containing approximately 1,372 square feet (0.0315 acres) of Parcel
15 408 (collectively the “Easements”); and

16
17 **WHEREAS**, the locations for the proposed Easements are described and shown on the
18 attached Exhibit; and

19
20 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
21 Easements; and

22
23 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
24 authorizes the County Council to declare that property is no longer needed for public purposes
25 and also authorizes the County Council to waive advertising and bidding requirements for an
26 individual conveyance of real property upon the request of the County Executive; and

27
28 **WHEREAS**, the County Council has received a request from the County Executive to
29 waive the advertising and bidding requirements in this instance for the grant of the Easements to
30 BGE.

1 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
2 Maryland, this ____ day of _____, 2022, that the County Executive may
3 convey two Easements to BGE as follows and as shown and described in the attached
4 “Description of BGE Utility Easements Howard County, Maryland to Baltimore Gas and
5 Electric Company”:

6 (1) An easement in an area comprising approximately 1,579 square feet (0.0362 acres) of
7 Parcel 399; and

8 (2) An easement in an area comprising approximately 1,372 square feet (0.0315 acres) of
9 Parcel 408.

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 Easements to BGE.

16
17 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the
18 property may have a further public use with which the Easements will interfere and, therefore,
19 that the Easements should not be granted, he is not bound to grant the Easements in accordance
20 with this Resolution.

Howard County, Maryland
Department of Public Works
Bureau of Engineering
Survey Division

Project No.:
Plat No.:
Survey Job No.: 2022-022

**DESCRIPTION OF
BGE UTILITY EASEMENTS
HOWARD COUNTY, MARYLAND
TO
BALTIMORE GAS AND ELECTRIC COMPANY**

BEING two strips of land in, through, over, and across the property of the Grantor acquired by the two following conveyances : 1) from Columbia Industrial Development Corporation, by the Deed dated February 18, 1985 and recorded among the Land Records of Howard County, Maryland in Liber 1469, Folio 132, and 2) from The Howard Research and Development Land Company by the Deed dated August 14, 1987 and recorded among said Land Records in Liber 1710, Folio 633, and being more particularly described as follows :

PART 1 :

BEGINNING for the same at a point on the fourth or North 10 degrees 37 minutes 40 seconds East 104.00 foot line of the land, which by the Deed dated February 18, 1985 and recorded among the Land Records of Howard County, Maryland in Liber 1469, Folio 132, was granted and conveyed by Columbia Industrial Development Corporation to Howard County, Maryland, said point being distant, as now surveyed, South 10 degrees 39 minutes 50 seconds West 17.26 feet, measured reversely along said line from a rebar with Howard County cap heretofore set at the end thereof, thence leaving said line for six new lines of easement through the property of the Grantor as described in said Deed, and referring all courses of this description to the Grid Meridian established in the Maryland Coordinate System NAD83(2011), as surveyed and described in 2022 by the Howard County, Maryland, Department of Public Works, Bureau of Engineering, Survey Division :

- 1) South 86 degrees 30 minutes 30 seconds East 32.71 feet, thence,
- 2) South 06 degrees 02 minutes 08 seconds West 59.25 feet to a point at or near the back of an existing curblin, thence running westerly and southerly at or near the back of said curblin,
- 3) North 84 degrees 19 minutes 04 seconds West 11.73 feet, thence
- 4) South 05 degrees 37 minutes 51 seconds West 26.95 feet to a point of curvature, and thence
- 5) Southerly, 11.72 feet along the arc of a curve to the left having a radius of 13.00 feet (the arc of said curve being subtended by the chord bearing South 20 degrees 11

minutes 22 seconds East for the distance of 11.32 feet), and thence leaving said curve at a point of tangency, continuing to run at or near the back of said curblin and the extension thereof,

- 6) South 46 degrees 00 minutes 35 seconds East 23.85 feet to intersect the second or North 54 degrees 14 minutes 42 seconds West 106.92 foot line of the aforementioned Deed and the Right of Way line as shown on State Highway Administration Plat Nos. 48775 and 53600, thence with a portion of said second line,
- 7) North 54 degrees 12 minutes 32 seconds West 41.36 feet to a point measured 9.58 feet reversely along said second line from the end thereof, thence leaving said line for new lines of easement, the five following courses and distances,
- 8) North 00 degrees 06 minutes 25 seconds West 19.97 feet, thence
- 9) North 10 degrees 28 minutes 11 seconds East 17.40 feet, thence
- 10) North 82 degrees 51 minutes 04 seconds East 12.76 feet, thence
- 11) North 06 degrees 02 minutes 08 seconds East 37.90 feet, and thence
- 12) North 86 degrees 30 minutes 30 seconds West 21.67 feet to intersect the aforementioned fourth line of the herein-mentioned Deed, thence with a portion of said fourth line,
- 13) North 10 degrees 39 minutes 50 seconds East 12.09 feet to the Point of Beginning; containing 1579 square feet or 0.0362 acres of land, more or less, and shown on the Exhibit Plat (Plat 1 of 2) recorded or intended to be recorded herewith.

PART 2 :

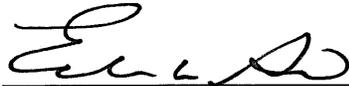
BEGINNING for the same at the point of beginning of Part 1 described herein, said point also being on the third or North 10 degrees 40 minutes 38 seconds East 104.00 foot line of the land, which by the Deed dated August 14, 1987 and recorded among the Land Records of Howard County, Maryland in Liber 1710, Folio 633, was granted and conveyed by The Howard Research and Development Land Company to Howard County, Maryland, and being distant, as now surveyed, South 10 degrees 39 minutes 50 seconds West 17.26 feet, measured reversely along said line from a rebar with Howard County cap heretofore set at the end thereof, thence running with reversely with and binding on a part of said third line,

- 1) South 10 degrees 39 minutes 50 seconds West 12.09 feet, thence leaving said third line for six new lines of easement through the property of the Grantor as described in the last mentioned Deed,
- 2) South 48 degrees 07 minutes 22 seconds West 96.58 feet, thence

- 3) North 64 degrees 31 minutes 02 seconds West 20.00 feet, thence
- 4) North 25 degrees 28 minutes 58 seconds East 12.00 feet to intersect the southwestern face of an existing frame County salt storage barn, thence running along the face of said building,
- 5) South 64 degrees 31 minutes 02 seconds East 12.00 feet to the southeasternmost corner of said building, thence leaving said building, at twelve (12) feet parallel to and distant from the second line described above,
- 6) North 48 degrees 07 minutes 22 seconds East 93.60 feet, and thence
- 7) South 86 degrees 30 minutes 30 seconds East 6.53 feet to the Point of Beginning; containing 1372 square feet or 0.0315 acres of land, more or less, and shown on the Exhibit Plat (Plat 2 of 2) recorded or intended to be recorded herewith.

Subject to the restrictions, covenants, conditions, and easements of record.

I hereby certify that this Description and the Survey work reflected in it was prepared by me or under my responsible charge and meets the applicable requirements defined in the Code of Maryland Regulations (COMAR) Title 09, Subtitle 13, Chapter 06, entitled "Minimum Standards of Practice" for the performance of land surveys.

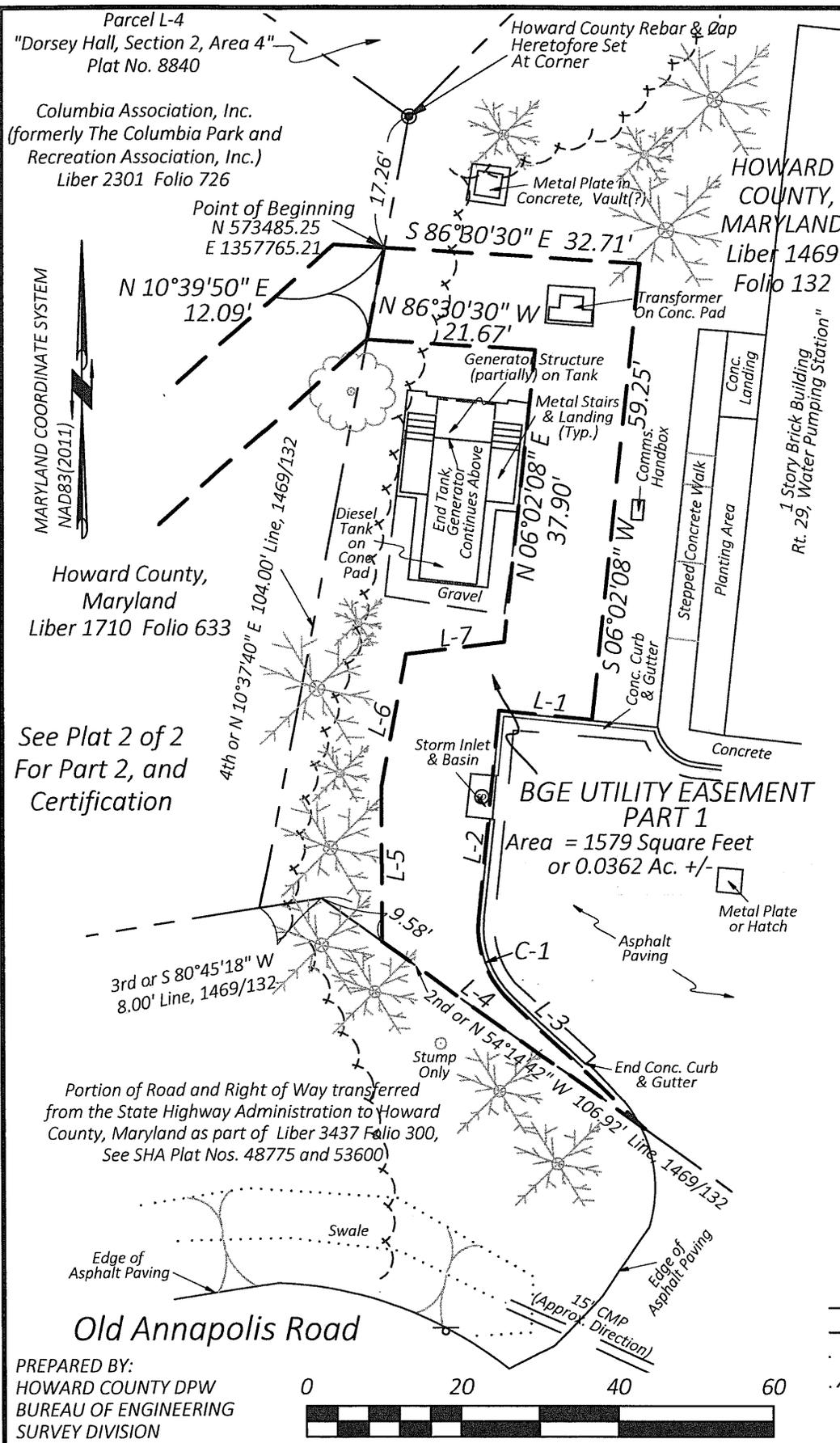


Edward W. Siegert
Professional Land Surveyor
Maryland Registration No. 21706
License expires 06-02-2023

8/24/2022

Date





- General Notes (for Both Sheets) :**
- Coordinates and Bearings referenced to the Maryland State Plane Coordinate System NAD83(2011), being previously established by an RTN/RTK GPS Survey in April 2020 localized to Howard County Geodetic Control Stations 30BB, 30BC, 30DC, and 30G4.
 - Ownership, Right of Way and Property/Lot Lines shown hereon are per Record Information only, based on the online research performed by the Howard County Survey Division. No title reports were provided nor reviewed.
 - Any Utility information shown hereon is based on the field location of observed above ground evidence only.
 - Trees are shown hereon using a mathematical formula sized proportionately per trunk diameter, and may or may not represent the actual limit of dripline. Additional trees exist inside the woods/brush line shown hereon.
 - Existing Conditions based on a Field Run Survey through May 31, 2022. No full tract Survey was performed.

Course Table

L-1	N 84°19'04" W	11.73'
L-2	S 05°37'51" W	26.95
C-1	R = 13.00' L = 11.72'	
	Chd - S 20°11'22" E	11.32'
L-3	S 46°00'35" E	23.85'
L-4	N 54°12'32" W	41.36'
L-5	N 00°06'25" W	19.97'
L-6	N 10°28'11" E	17.40'
L-7	N 82°51'04" E	12.76'

Legend

- Property Evidence Found
- Coniferous Tree
- Deciduous Tree
- Road Parking Sign
- Storm Drain Manhole
- Property Lines
- Easement Lines
- Breakline
- Woods/ Brush Line

PREPARED BY:
HOWARD COUNTY DPW
BUREAU OF ENGINEERING
SURVEY DIVISION



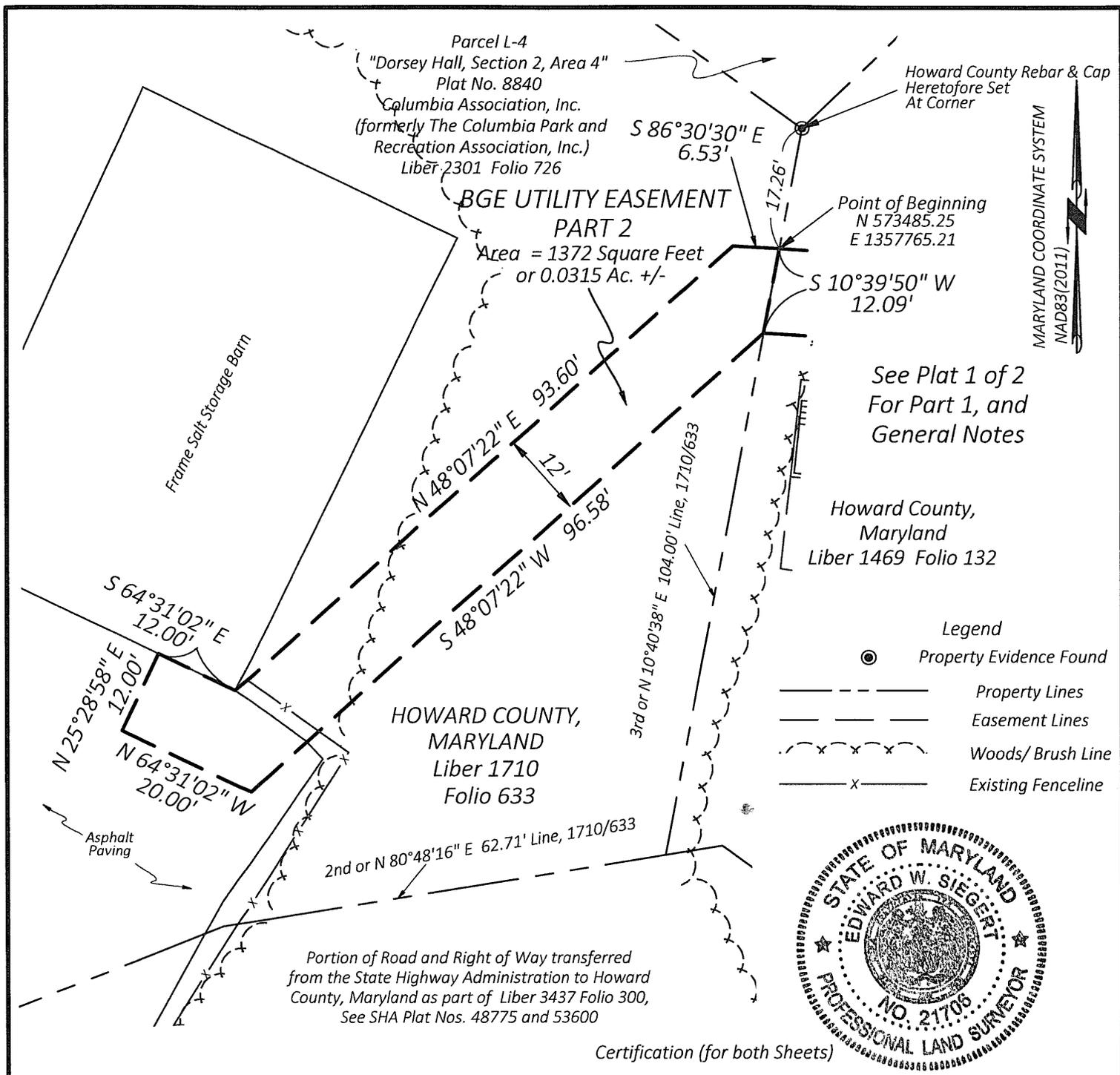
PLAT No.: 1 of 2
SURVEY PROJ No.: 2022022
SCALE : 1"= 20'
DATE OF PLAT: 08/24/2022

BGE UTILITY EASEMENTS

RT. 29 WATER PUMPING STATION & SALT STORAGE FACILITY
LANDS OF HOWARD COUNTY, MARYLAND
LIBER 1469 FOLIO 132 AND LIBER 1710 FOLIO 633

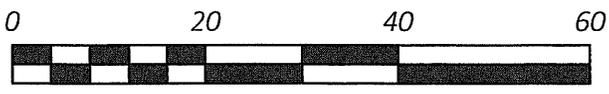
TAX MAP 30 p/o PARCELS 399 & 408
2nd ELECTION DISTRICT HOWARD COUNTY, MARYLAND

APPROVED: _____
APPROVED: _____
REAL ESTATES SERVICES DIVISION



Old Annapolis Road

PREPARED BY:
HOWARD COUNTY DPW
BUREAU OF ENGINEERING
SURVEY DIVISION



Certification (for both Sheets)

I hereby certify that these documents and the work reflected in them were prepared by me or under my responsible charge and meet the requirements set forth for "Right-of-Way / Easement Surveys", and other applicable requirements defined in the Code of Maryland Regulations (COMAR) Title 09, Subtitle 13, Chapter 06, entitled "Minimum Standards of Practice" for the performance of land surveys.

Edward W. Siegert
Edward W. Siegert
Professional Land Surveyor
Maryland Registration No. 21706
License expires 06-02-2023

8/24/2022
Date

<p>PLAT No.: 2 of 2 SURVEY PROJ No.: 2022022 SCALE: 1" = 20' DATE OF PLAT: 08/24/2022</p>	<p>BGE UTILITY EASEMENTS RT. 29 WATER PUMPING STATION & SALT STORAGE FACILITY LANDS OF HOWARD COUNTY, MARYLAND LIBER 1469 FOLIO 132 AND LIBER 1710 FOLIO 633 TAX MAP 30 p/o PARCELS 399 & 408 2nd ELECTION DISTRICT HOWARD COUNTY, MARYLAND</p>	<p>APPROVED: APPROVED: REAL ESTATES SERVICES DIVISION</p>
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