

# County Council of Howard County, Maryland

2022 Legislative Session

Legislative Day No. 14

## Resolution No. 188 -2022

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 containing a total of 0.042 acres of US Route 1 (Washington Boulevard) at Pine Avenue is no longer needed by the County for public purposes; authorizing the County Executive to convey, upon certain consideration, fee simple title 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.

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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This Resolution was read the third time and was Adopted\_\_\_, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn\_\_\_, by the County Council on \_\_\_\_\_, 2022.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 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 owner of approximately 0.042 acres of land (the “Property to  
2 be Conveyed”), located within US Route 1 (Washington Boulevard) and Pine Avenue and shown  
3 on State of Maryland Department of Transportation State Highway Administration State Roads  
4 Commission Plat No. 61871, attached hereto as Exhibit A, being part of real property which was  
5 acquired by the County from: i) Monroe Clay Colonna and Ruby V. Colonna by Deed dated  
6 January 22, 1954 and recorded among the Land Records of Howard County, Maryland at Liber  
7 254, page 1; and ii) Imper Realty by a Deed dated March 27, 1995 and recorded among the Land  
8 Records of Howard County, Maryland at Liber 3533, folio 542 (collectively the “County  
9 Property”); and

10  
11           **WHEREAS**, the State of Maryland, Department of Transportation, State Highway  
12 Administration (“SHA”) owns the adjacent land and needs to acquire the Property to be Conveyed  
13 in order to complete construction on US Route 1, as shown on the attached Exhibit A; and

14  
15           **WHEREAS**, construction includes improvements in the Rowanberry Drive area to include  
16 a new sidewalk along northbound US Route 1 between South Hanover Road and Old Washington  
17 Road, new continental crosswalks, and upgraded pedestrian crossing signals; and

18  
19           **WHEREAS**, SHA also needs to acquire approximately 0.007 acres of the County Property  
20 as a temporary construction easement, also shown on the attached Exhibit A, which shall revert to  
21 the County upon completion of construction; and

22  
23           **WHEREAS**, in exchange for the conveyance of fee simple title, the State will pay the  
24 appraised value of the Property to be Conveyed of \$19,650; and

25  
26           **WHEREAS**, the Department of Public Works has reviewed and approved the proposed  
27 conveyance of fee simple title, as shown in the attached Exhibit A; and

28  
29           **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code  
30 authorizes the County Council to declare that property is no longer needed for public purposes and

1 also authorizes the County Council to waive advertising and bidding requirements for an individual  
2 conveyance of real property upon the request of the County Executive; and  
3

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

9 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
10 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2022, that the Property to be Conveyed as  
11 shown in the attached Exhibit A as the “Fee Simple Area” containing approximately 0.042 acres  
12 of land is no longer needed by the County for public purposes.  
13

14 **AND BE IT FURTHER RESOLVED**, that County Executive may convey fee simple  
15 title to the Property to be Conveyed to the State of Maryland, Department of Transportation, State  
16 Highway Administration upon payment of the appraised value of the Property to be Conveyed in  
17 the amount \$19,650.  
18

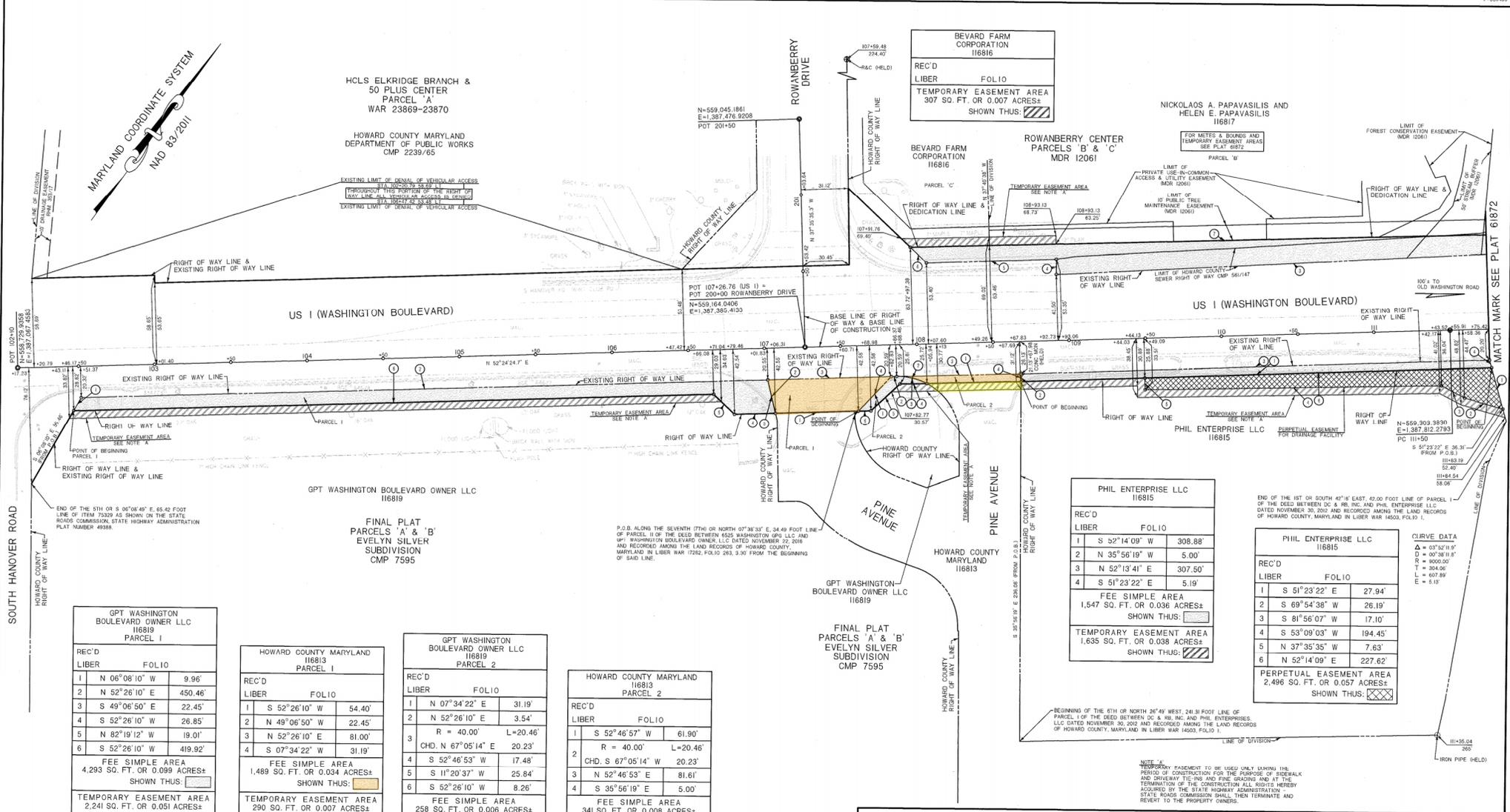
19 **AND BE IT FURTHER RESOLVED** that, having received a request from the County  
20 Executive and having held a public hearing, the County Council declares that the best interest of  
21 the County will be served by authorizing the County Executive to waive the usual advertising and  
22 bidding requirements of Section 4.201 of the Howard County Code for the conveyance of the  
23 Property to be Conveyed in fee simple to the State of Maryland, Department of Transportation,  
24 State Highway Administration.  
25

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

# Exhibit "A"

X=138915  
Y=558924

X=138700  
Y=558989



SOUTH HANOVER ROAD

MATCH MARK SEE PLAT 61872

**GPT WASHINGTON BOULEVARD OWNER LLC 116819 PARCEL 1**

REC'D LIBER	FOLIO	DESCRIPTION
1	N 06°08'10" W	9.96'
2	N 52°26'10" E	450.46'
3	S 49°06'50" E	22.45'
4	S 52°26'10" W	26.85'
5	N 82°19'12" W	19.01'
6	S 52°26'10" W	419.92'

FEE SIMPLE AREA  
4,293 SQ. FT. OR 0.099 ACRES±  
SHOWN THUS: [Symbol]

TEMPORARY EASEMENT AREA  
2,241 SQ. FT. OR 0.051 ACRES±  
SHOWN THUS: [Symbol]

**HOWARD COUNTY MARYLAND 116813 PARCEL 1**

REC'D LIBER	FOLIO	DESCRIPTION
1	S 52°26'10" W	54.40'
2	N 49°06'50" W	22.45'
3	N 52°26'10" E	81.00'
4	S 07°34'22" W	31.19'

FEE SIMPLE AREA  
1,489 SQ. FT. OR 0.034 ACRES±  
SHOWN THUS: [Symbol]

TEMPORARY EASEMENT AREA  
290 SQ. FT. OR 0.007 ACRES±  
SHOWN THUS: [Symbol]

**GPT WASHINGTON BOULEVARD OWNER LLC 116819 PARCEL 2**

REC'D LIBER	FOLIO	DESCRIPTION
1	N 07°34'22" E	31.19'
2	N 52°26'10" E	3.54'
R = 40.00' L = 20.46'		
3	CHD. N 67°05'14" E	20.23'
4	S 52°46'53" W	17.48'
5	S 11°20'37" W	25.84'
6	S 52°26'10" W	8.26'

FEE SIMPLE AREA  
258 SQ. FT. OR 0.006 ACRES±  
SHOWN THUS: [Symbol]

**HOWARD COUNTY MARYLAND 116813 PARCEL 2**

REC'D LIBER	FOLIO	DESCRIPTION
1	S 52°46'57" W	61.90'
R = 40.00' L = 20.46'		
2	CHD. S 67°05'14" W	20.23'
3	N 52°46'53" E	81.61'
4	S 35°56'19" E	5.00'

FEE SIMPLE AREA  
341 SQ. FT. OR 0.008 ACRES±  
SHOWN THUS: [Symbol]

**PHIL ENTERPRISE LLC 116815**

REC'D LIBER	FOLIO	DESCRIPTION
1	S 52°14'09" W	308.88'
2	N 35°56'19" W	5.00'
3	N 52°13'41" E	307.50'
4	S 51°23'22" E	5.19'

FEE SIMPLE AREA  
1,547 SQ. FT. OR 0.036 ACRES±  
SHOWN THUS: [Symbol]

TEMPORARY EASEMENT AREA  
1,635 SQ. FT. OR 0.038 ACRES±  
SHOWN THUS: [Symbol]

**PHIL ENTERPRISE LLC 116815**

REC'D LIBER	FOLIO	DESCRIPTION
1	S 51°23'22" E	27.94'
2	S 69°54'38" W	26.19'
3	S 81°56'07" W	17.10'
4	S 53°09'03" W	194.45'
5	N 37°35'35" W	7.63'
6	N 52°14'09" E	227.62'

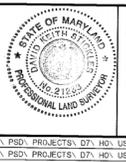
PERPETUAL EASEMENT AREA  
2,496 SQ. FT. OR 0.057 ACRES±  
SHOWN THUS: [Symbol]

**CURVE DATA**

Δ	137°54'19"
T	007°58'11"
R	9000.00'
L	304.04'
E	607.89'
E	5.10'

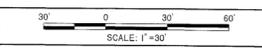
**SURVEYOR'S CERTIFICATION**  
THE RIGHT OF WAY LINES AND LINES OF DIVISION SHOWN HEREON WERE ESTABLISHED FROM DEEDS AND PLATS OF RECORD AND FIELD SURVEYS. THE UNDERSIGNED WAS IN RESPONSIBLE CHARGE OF THE PREPARATION OF THIS PLAT AND THE SURVEYING WORK REFLECTED ON IT. THIS PLAT WAS DEVELOPED IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN COMAR REGULATION 09.12.06.

DAVID KEITH STICKLES  
PROFESSIONAL LAND SURVEYOR MD REG. NO. 21283  
EXP. DATE 6/14/2023  
DATE 12-22-21



**LEGEND OF PROPOSED EASEMENTS**

- TEMPORARY CONSTRUCTION EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
- REVERSIBLE EASEMENT FOR SUPPORTING SLOPES.
- PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON THIS PLAT.
- PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT.
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO AN EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.
- PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND.



SENT TO RECORD OFFICE \_\_\_\_\_ 20\_\_\_\_  
APPROVED BY: \_\_\_\_\_  
STATE ROADS COMMISSION CHAIRMAN \_\_\_\_\_

COORDINATES AND BEARINGS SHOWN HEREON ARE IN REFERENCE TO THE MARYLAND COORDINATE SYSTEM AS DEFINED BY THE NORTH AMERICAN DATUM OF 1983, ADJUSTED IN 2011 (NAD83/2011) AND ARE BASED ON THE FOLLOWING RTN KEYMETRIC CONTROL STATION(S):

DESIGNATION	NORTH	EAST	POINT DESCRIPTION	SOURCE
JMT1	589723.2010	1388154.3629	RAC	RTN Key(MET)
JMT2	588760.3939	138700.5449	RAC	RTN Key(MET)

BOOKS \_\_\_\_\_ PART OF PLATS \_\_\_\_\_  
49388

LOCATED IN \_\_\_\_\_ HOWARD \_\_\_\_\_ COUNTY

PREPARED BY: JOHNSON, MIRIMIRAN & THOMPSON  
ADDRESS: 40 NIGHT AVE, HUNT VALLEY, MD 21030

CONSTRUCTION PROJECT: US 1 (WASHINGTON BLVD.) AT ROWANBERRY DRIVE

CONSTRUCTION PROJECT NO: H02155176

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

**RIGHT OF WAY PROJECT:** US 1 (WASHINGTON BLVD.) AT ROWANBERRY DRIVE  
H0215A\_J

**ISSUED:** January 6, 2022 **FEDERAL AID PROJECT NO.:** \_\_\_\_\_  
Scale: 1"=30'

**ACQUISITION PLAT NO. 61871**