

# 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.

Introduced and read first time Oct 3, 2022.

By order Michelle Harrod  
Michelle Harrod, Administrator

Read for a second time at a public hearing on Oct 17, 2022.

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This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on Oct 31, 2022.

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**, 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  
13 Conveyed in order to complete construction on US Route 1, as shown on the attached Exhibit A;  
14 and

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

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

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

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

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

1 and also authorizes the County Council to waive advertising and bidding requirements for an  
2 individual 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 31 day of October, 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,  
16 State Highway Administration upon payment of the appraised value of the Property to be  
17 Conveyed in 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  
22 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of  
23 the Property to be Conveyed in fee simple to the State of Maryland, Department of  
24 Transportation, 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  
28 bound to convey the fee simple interests in accordance with this Resolution.








# Howard County

*Internal Memorandum*

**Subject:** Testimony & Fiscal Impact Statement  
Council Resolution No. \_\_\_\_-2022 declaring that a portion of certain real property consisting of approximately 0.042 acres of US 1 (Washington Boulevard) at Pine Avenue and owned by Howard County, Maryland is no longer needed by the County for a public purpose; authorizing the County Executive to convey the property to the State Highway Administration ("SHA") in exchange for the appraised value; waiving the advertising and bidding requirements of Section 4.201 of the County Code in connection with the property's conveyance; and providing that the County Executive is not bound to terminate the County's interest in the property if he finds that the property may have a further public use.

**To:** Lonnie R. Robbins,  
Chief Administrative Officer

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

**Date:** September 22, 2022

The Department of Public Works has been designated coordinator for preparation of testimony: i) declaring that approximately 0.042 acres of real property owned by Howard County is no longer needed for public purposes; ii) 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 adjacent property owner, The State of Maryland, Department of Transportation, State Highway Administration ("SHA") as part of the construction of new sidewalks along US 1 and providing that the County Executive is not bound to terminate the County's interest in the property if he finds that the property may have a further public use; and iii) to facilitate construction of the sidewalks, authorizing the establishment of approximately 0.007 acres of temporary construction easement adjacent to the real property to be conveyed.

The County is the owner of approximately 0.042 acres of land (the "Property to be Conveyed"), located within US 1 (Washington Boulevard) and Pine Avenue and shown on State of Maryland Department of Transportation State Highway Administration State Roads Commission Plat No. 61871 attached hereto as Exhibit "A", which was acquired by the County from: i) Monroe Clay Colonna and Ruby V. Colonna by Deed dated January 22, 1954 and recorded among the Land Records of Howard County, Maryland at Liber 254, page 1; and ii) Imper Realty by a Deed dated March 27, 1995 and recorded among the Land Records of Howard County, Maryland at Liber 3533, folio 542 (collectively the "Property").

Lonnie R. Robbins, Chief Administrative Officer  
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The SHA owns the adjacent land and needs to acquire the Property to be Conveyed in fee simple in order complete the bicycle and pedestrian safety project on US Route 1. In addition, the SHA needs to acquire approximately 0.007 acres of temporary construction easement along US 1, which shall revert to the County upon completion of construction. The County has determined that the Property to be Conveyed is no longer needed for a public purpose and the proposed temporary easement has been approved. The County will agree to transfer the Property to be Conveyed and establish the proposed temporary easement subject to the payment of the appraised value of \$19,650.00.

There is no fiscal impact to the County.

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.

cc: Jennifer Sager  
File



