

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 7

Resolution No. 101 -2023

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 may replace and relocate poles and other equipment maintained by Baltimore Gas and Electric Company on property owned by Howard County, Maryland 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 _____, 2023.

By order _____
Michelle Harrod, Administrator

Read for a second time at a public hearing on _____, 2023.

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This Resolution was read the third time and was Adopted ____, Adopted with amendments ____, Failed ____, Withdrawn ____, by the County Council on _____, 2023.

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**, Howard County (the “County”) is the fee simple owner of certain parcels of
2 land known as Parcel 249 of Tax Map 24 and Parcel 221 of Tax Map 25B, having an address of
3 8683 Frederick Road, Ellicott City, Maryland (collectively the “County Property”); and
4

5 **WHEREAS**, Baltimore Gas and Electric Company (“BGE”) is relocating and replacing
6 equipment adjacent to Frederick Road in Ellicott City and has requested permission to enter upon
7 and use a portion containing approximately 0.210 acres of the County Property to install and
8 maintain equipment; and
9

10 **WHEREAS**, the easements requested by BGE (collectively “the Easements”) shall be for
11 locations described as follows (the “Easement Areas”):

- 12 (1) BGE Utility Easement containing 4,616 sq. ft. or 0.1060 acres of land on Tax Map
13 24, Parcel 249; and
- 14 (2) BGE Utility Easement containing 4,525 sq. ft. or 0.1039 acres of land on Tax Map
15 25B, Parcel 221; and
16

17 **WHEREAS**, the proposed Easement Areas are described and shown on Exhibit A and
18 Exhibit B attached hereto; 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 of Howard County, Maryland (the “County Council”) to declare
25 that property is no longer needed for public purposes and also authorizes the County Council to
26 waive advertising and bidding requirements for an individual conveyance of real property upon
27 the request of the County Executive; and
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29 **WHEREAS**, the County Council has received a request from the County Executive to
30 waive the advertising and bidding requirements in this instance for the grant of the Easements to
31 BGE.

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NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland, this ____ day of _____, 2023, that the County Executive may convey the Easements to BGE as follows, and in the locations as shown and described on Exhibit A and Exhibit B attached hereto:

- (1) BGE Utility Easement containing 4,616 sq. ft. or 0.1060 acres of land on Tax Map 24, Parcel 249; and
- (2) BGE Utility Easement containing 4,525 sq. ft. or 0.1039 acres of land on Tax Map 25B, Parcel 221

AND BE IT FURTHER RESOLVED that, having received a request from the County Executive and having held a public hearing, the County Council declares that the best interest of the County will be served by authorizing the County Executive to waive the usual advertising and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of the Easements to BGE.

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

Description of a
BGE Utility Easement
on
Tax Map 24 Parcel 249
Ellicott City, Maryland

BEGINNING for the same at a point distant South 31°42'52" East 34.18 feet from a point of commencement at the beginning of the first or South 31°42'52" East 220.61 feet line of Part 2 in a deed from Agnes Carter to Howard County, Maryland dated July 26th, 1995 and recorded among the Land Records of Howard County, Maryland in Liber MDR 3544 at Folio 25; said point of commencement also being Point 108 as shown on a plat entitled "Agnes Carter Property" accompanying said deed and being part thereof, having a plat coordinate value of North 583,565.53 East 1,366,023.94, now converted to North 583,565.79 East 1,366,024.67; thence departing said point so fixed and running with said line, with all bearings herein being referred to the Maryland State Coordinate System NAD83 per said deed, as now surveyed,

1. **South 31°42'52" East for a distance of 115.40 feet** to a point; thence departing said line
2. **South 00°47'00" West for a distance of 16.63 feet** to a point; thence
3. **North 58°17'12" West for a distance of 124.47 feet** to a point; and thence
4. **North 42°37'57" East for a distance of 67.10 feet** to the point of beginning.

CONTAINING 4,616 sq. ft. or 0.1060 acres of land per my survey calculations.

BEING the same easement as shown on a plat attached hereto and intended to be recorded herewith prepared by EN Engineering, entitled, "BGE Utility Easement on Tax Map 24 Parcel 249," and dated May 23, 2023.

This metes and bounds land description and the related survey work was prepared by me or under my direct supervision in accordance with the requirements of COMAR Title 9 Department of Labor, Licensing, and Regulation Subtitle 13, Chapter 06, Minimum Standards of Practice as amended in May of 2017.



Joseph E. Filippone, II
Maryland Professional Land Surveyor No. 21212
Expiration Date: 1/22/2024



5.23.2023

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POINT 108 AS SHOWN ON
PLAT TO ACCOMPANY DEED
"AGNES CARTER PROPERTY"
L. MDR 3544 F.25 (HELD)

SCHOOL HOUSE LOT
COMMON USE R/W
L. MDR 7866 F. 124
S 69°43'08" W 89.07'



GRAPHIC SCALE

1"=20'

NORTH NAD83 PER DEED L. MDR 3544 F.25



1/4" IRON
PIPE FOUND

MAGNAIL FOUND
(HOWARD COUNTY
CONTROL)

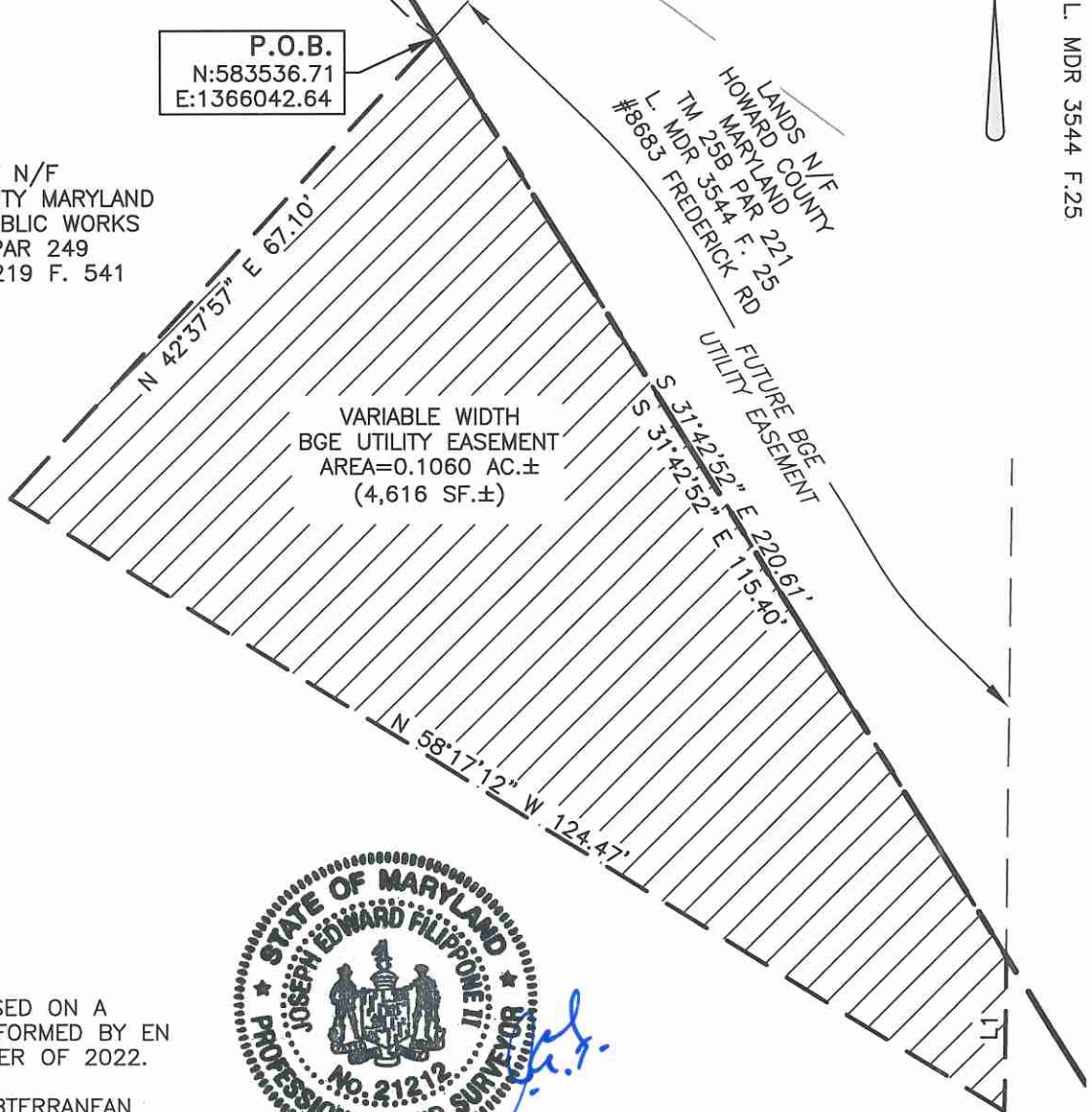
P.O.B.
N:583536.71
E:1366042.64

LANDS N/F
HOWARD COUNTY MARYLAND
DEPT. OF PUBLIC WORKS
TM 24 PAR 249
L. MDR 11219 F. 541

LANDS N/F
HOWARD COUNTY
MARYLAND
TM 25B PAR 221
L. MDR 3544 F. 25
#8683 FREDERICK RD

FUTURE BGE
UTILITY EASEMENT

VARIABLE WIDTH
BGE UTILITY EASEMENT
AREA=0.1060 AC.±
(4,616 SF.±)



GENERAL NOTES

1. THIS PLAT WAS BASED ON A FIELD-RUN SURVEY PERFORMED BY EN ENGINEERING IN DECEMBER OF 2022.
2. NO SURVEY OF SUBTERRANEAN STRUCTURES OR INTERIOR SPACES SUCH AS FOOTINGS, FOUNDATIONS, VAULTS, OR BASEMENTS WAS PERFORMED AS PART OF THIS SURVEY, AND THIS PLAN SHOULD NOT BE CONSTRUED AS CERTIFICATION TO THE EXISTENCE OF LOCATION OF SAME.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH BY AN EXPERT TITLE ABSTRACTOR. THE TITLE INFORMATION SHOWN HEREON WAS DERIVED FROM THE BEST AVAILABLE LAND RECORDS AT THE TIME OF THE SURVEY. A TITLE REPORT COULD REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.
5. BEARINGS AND COORDINATES SHOWN HEREON ARE REFERRED TO THE MARYLAND COORDINATE SYSTEM NORTH NAD83 PER DEED L. MDR 3544 F.25.



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 00°47'00" W	16.63'

SURVEYOR'S CERTIFICATION

THIS PLAT, AND THE SURVEY WORK ON WHICH IT IS BASED, WAS PREPARED UNDER MY RESPONSIBLE CHARGE, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH COMAR, TITLE 09, MARYLAND DEPARTMENT OF LABOR, LICENSING, AND REGULATION, SUBTITLE 13, CHAPTER 06, "MINIMUM STANDARDS OF PRACTICE," IN EFFECT AS OF 2017.

Joseph E. Filippone II 5.23.2023
 JOSEPH E. FILIPPONE, II DATE
 MARYLAND PROFESSIONAL LAND SURVEYOR NO. 21212
 EXPIRATION DATE: 1/22/2024

ENEngineering

CIVIL ENGINEERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 GEOTECHNICAL ENGINEERS • ENVIRONMENTAL
 1630 ROBIN CIRCLE FOREST HILL, MARYLAND 21050
 PHONE (443) 652-6438 WWW.ENENGINEERING.COM

BGE UTILITY EASEMENT
 ON
TAX MAP 24 PARCEL 249
 ELLICOTT CITY, MD 21043

2ND ELECTION DISTRICT HOWARD COUNTY, MARYLAND

SCALE: 1"=20 DATE: 5/23/2023 DRAWN BY: S.A.H. CHECK BY: J.E.F. JOB NO.: 2216002.08

Description of a
BGE Utility Easement
on
Tax Map 25B Parcel 221
8386 Frederick Road
Ellicott City, Maryland

BEGINNING for the same at a point distant South 31°42'52" East 34.18 feet from a point of commencement at the beginning of the first or South 31°42'52" East 220.61 feet line of Part 2 in a deed from Agnes Carter to Howard County, Maryland dated July 26th, 1995 and recorded among the Land Records of Howard County, Maryland in Liber MDR 3544 at Folio 25; said point of commencement also being Point 108 as shown on a plat entitled "Agnes Carter Property" accompanying said deed and being part thereof, having a plat coordinate value of North 583,565.53 East 1,366,023.94, now converted to North 583,565.79 East 1,366,024.67; thence departing said point so fixed, with all bearings herein being referred to the Maryland State Coordinate System NAD83 per said deed, as now surveyed,

1. **North 42°37'57" East for a distance of 50.51 feet** to intersect the southwesterly side of Frederick Road, Route 144 (66' wide); thence binding on and running with said Frederick Road
2. **South 63°42'56" East for a distance of 31.35 feet** to a point; thence departing said Frederick Road
3. **South 00°47'00" West for a distance of 121.46 feet** to intersect said first line; thence running with said line
4. **North 31°42'52" West for a distance of 115.40 feet** to the point of beginning,

CONTAINING 4,525 sq. ft. or 0.1039 acres of land per my survey calculations.

BEING the same easement as shown on a plat attached hereto and intended to be recorded herewith prepared by EN Engineering, entitled, "BGE Utility Easement on 8386 Frederick Road," and dated May 23, 2023.

This metes and bounds land description and the related survey work was prepared by me or under my direct supervision in accordance with the requirements of COMAR Title 9 Department of Labor, Licensing, and Regulation Subtitle 13, Chapter 06, Minimum Standards of Practice as amended in May of 2017.



5-23-2023

Joseph E. Filippone, II
Maryland Professional Land Surveyor No. 21212
Expiration Date: 1/22/2024

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MAGNAIL FOUND
(HOWARD COUNTY
CONTROL)

S 67°25'06" W 135.57'
1/4" IRON
PIPE FOUND

P.O.B.
N:583536.71
E:1366042.64

VARIABLE WIDTH
BGE UTILITY EASEMENT
AREA=0.1039 AC.±
(4,525 SF.±)

FREDERICK ROAD
ROUTE 144
66' R/W

LIMIT OF
PRESCRIPTIVE
RIGHT OF WAY

LANDS N/F
HOWARD COUNTY
MARYLAND
TM 25B PAR 221
L. MDR 3544 F. 25
#8683 FREDERICK RD

MACADAM
DRIVEWAY

GENERAL NOTES

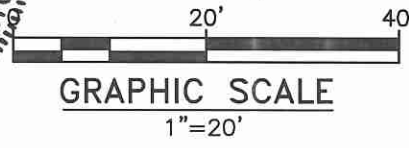
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Joseph E. Filippone
JOSEPH E. FILIPPONE, II
MARYLAND PROFESSIONAL LAND SURVEYOR NO. 21212
EXPIRATION DATE: 1/22/2024

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BGE UTILITY EASEMENT
ON
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TAX MAP 25B PARCEL 221

2ND ELECTION DISTRICT

HOWARD COUNTY, MARYLAND

SCALE: 1"=20

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