




Howard County

Internal Memorandum

Subject: Testimony & Fiscal Impact Statement
Council Resolution No. ___ - 2023, authorizing the County Executive to grant an easement to Baltimore Gas and Electric Company pursuant to an amendment to deeds of easement (the "Amendment to Deeds") so that Baltimore Gas and Electric Company may install communication facilities on property owned by Howard County, 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 grant the easement if he finds that the property may have a further public use.

To: Brandee Ganz
Chief Administrative Officer

From: Yosef Kebede, Director
Department of Public Works 

Date: May 25, 2023

The Department of Public Works (the "Department") has been designated coordinator for preparation of testimony relative to the above referenced Council Resolution that provides for the amendment of prior deeds of easement to the Baltimore Gas and Electric Company ("BGE") located on property owned by Howard County, Maryland, shown as Parcel 200 on Tax Map 47 (the "County Property").

The County Property is subject to (1) a free and uninterrupted right of way/easement by Deed dated December 29, 1964, from the Howard County Metropolitan Commission, recorded among the Land Records of Howard County, Maryland (the "Land Records") in Liber 431, Folio 86, and (2) a free and uninterrupted right of way by Deed dated June 28, 1972, from Howard County, Maryland, recorded among the Land Records in Liber 616, Folio 710 (collectively the "Existing Easement Agreement"), for the purpose of constructing, operating and maintaining overhead electrical transmission lines only within the easement area on the County Property described in the Existing Easement Agreement (the "Easement Area").

BGE has requested an amendment to the Existing Easement Agreement to install communication facilities on the County Property within a portion of the Easement Area granted in the Existing Easement Agreement (the "Amended Easement Area") for use in connection with BGE's electric utility business and for any other Communication Purpose, including the provision of infrastructure to enable internet providers to reach communities within the County (the "Communication Facilities"). The Communication Facilities include, but are not limited to, wires, cables, fiber optic cables, and conduits.

BGE will be required to restore at BGE's expense the County Property to a condition equal to or better than its condition immediately preceding any opening, excavation, or other work in the Amended Easement Area for the installation or maintenance of the Communication Facilities.

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The Department of Public Works has reviewed and approved the proposed Amendment to Deeds.

Section 4.201, "Disposition of Real Property", of the Howard County Code authorizes the County Council to declare that property is no longer needed for public purposes and authorizes the County Council to waive advertising and bidding requirements for an individual conveyance of real property upon the request of the County Executive.

The County Council has received a request from the County Executive to waive the advertising and bidding requirements in this instance for the Amendment to Deeds in order to allow for the installation of the Communications Facilities in the Amended Easement Area.

There is no fiscal impact to the County.

Representatives of the 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