

County Council Of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 11

Resolution No. 159 -2011

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 a permanent easement to the Baltimore Gas and Electric Company in certain real property owned by the County located at Monarch Mills (formerly known as Guilford Gardens); 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 land may have a further public use and submits his finding to the County Council for its consideration.

Introduced and read first time October 3, 2011.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Read for a second time at a public hearing on October 17, 2011.

By order Stephen LeGendre
Stephen LeGendre, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments___, Failed___, Withdrawn___, by the County Council on November 7, 2011.

Certified By Stephen LeGendre
Stephen LeGendre, 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 is the owner of certain real property improved as a multi-
2 family apartment complex known as Monarch Mills (formerly Guilford Gardens) located at
3 7500 Monarch Mills Way, Columbia, Howard County, Maryland as acquired by Deed dated
4 April 27, 1978 from Pattison E. Whipps, Robert J. Whipps and Shirley Whipps recorded among
5 the Land Records of Howard County, Maryland in Liber 880, folio 746; subject to a 98 year
6 Ground Lease dated March 30, 2010 from Howard County, Maryland to Monarch Mills, LP
7 recorded among the aforesaid Land Records in Liber 12382 , folio 017 , (the “County Property”);
8 and

9
10 **WHEREAS**, Monarch Mills, LP is constructing the Monarch Mills rental apartment
11 complex on the County Property as part of approved Site Development Plan No. SDP-09-045 –
12 Guilford Gardens, Section 1, Area 1, Parcels “A1” & “A2”; and

13
14 **WHEREAS**, in order to extend electrical service to the County Property, Baltimore Gas
15 and Electric Company (“BGE”) is seeking that a permanent easement (the “Easement”) be
16 granted to BGE where the electrical service has been installed, ten feet in width along the the red
17 line in the attached Exhibits A, B and C; and

18
19 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
20 Easement; and

21
22 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
23 authorizes the County Council to declare that property is no longer needed for public purposes
24 and also authorizes the County Council to waive advertising and bidding requirements for an
25 individual conveyance of real property upon the request of the County Executive; and

26
27 **WHEREAS**, the County Council has received a request from the County Executive to
28 waive the advertising and bidding requirements in this instance for the grant of the Easement to
29 BGE.

1 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
2 Maryland, this 7th day of November, 2011, that a public purpose is served by
3 granting the Easement to BGE, ten feet in width along the red line in the attached Exhibits A, B
4 and C.

5
6 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
7 Executive and having held a public hearing, the County Council declares that the best interest of
8 the County will be served by authorizing the County Executive to waive the usual advertising
9 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
10 the Easement to BGE.

11
12 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land
13 to be subject to the Easement may have a further public use and that the Easement should not be
14 granted, he may submit his findings and recommendations to the County Council for its
15 consideration without being bound to grant the Easement in accordance with this Resolution.

CUSTOMER TO INSTALL 4" PVC DUCTS FROM TRANSFORMER TO MTR. LOCATION

3
TLC 3.09.12.40.0037 AB
INST: 1-167KVA PM TRANS.(86-043)
120/240V
TERM: 6-#2AL
TERM: 6-350AL

4
CUSTOMER TO INSTALL 1-4" PVC DUCT FROM TRANSFORMER TO MTR. LOCATION
CUSTOMER TO INSTALL 4-4" PVC DUCTS FROM TRANSFORMER TO MTR. LOCATION

TLC 3.09.12.40.0036 ABC @
INST: 1-75KVA PM TRANS.(86-279)
120/208V
TERM: 6-#2AL
TERM: 4-4/0 AL

5
TLC 3.09.12.40.0034 BR
INST: 1-167KVA PM TRANS. (86-043)
120/240V
TERM: 2-#2AL
TERM: 12-350AL

6
TLC 3.09.12.4/ INST: 1-167KVA PM TRANS. (86-043)
120/240V
TERM: 2-#2AL
TERM: 12-350

7
TLC 3.09.12.40.00 INST: 1-75KVA PM TRANS. (86-043)
120/208V
TERM: 6-#2AL

8
WATER SEAL

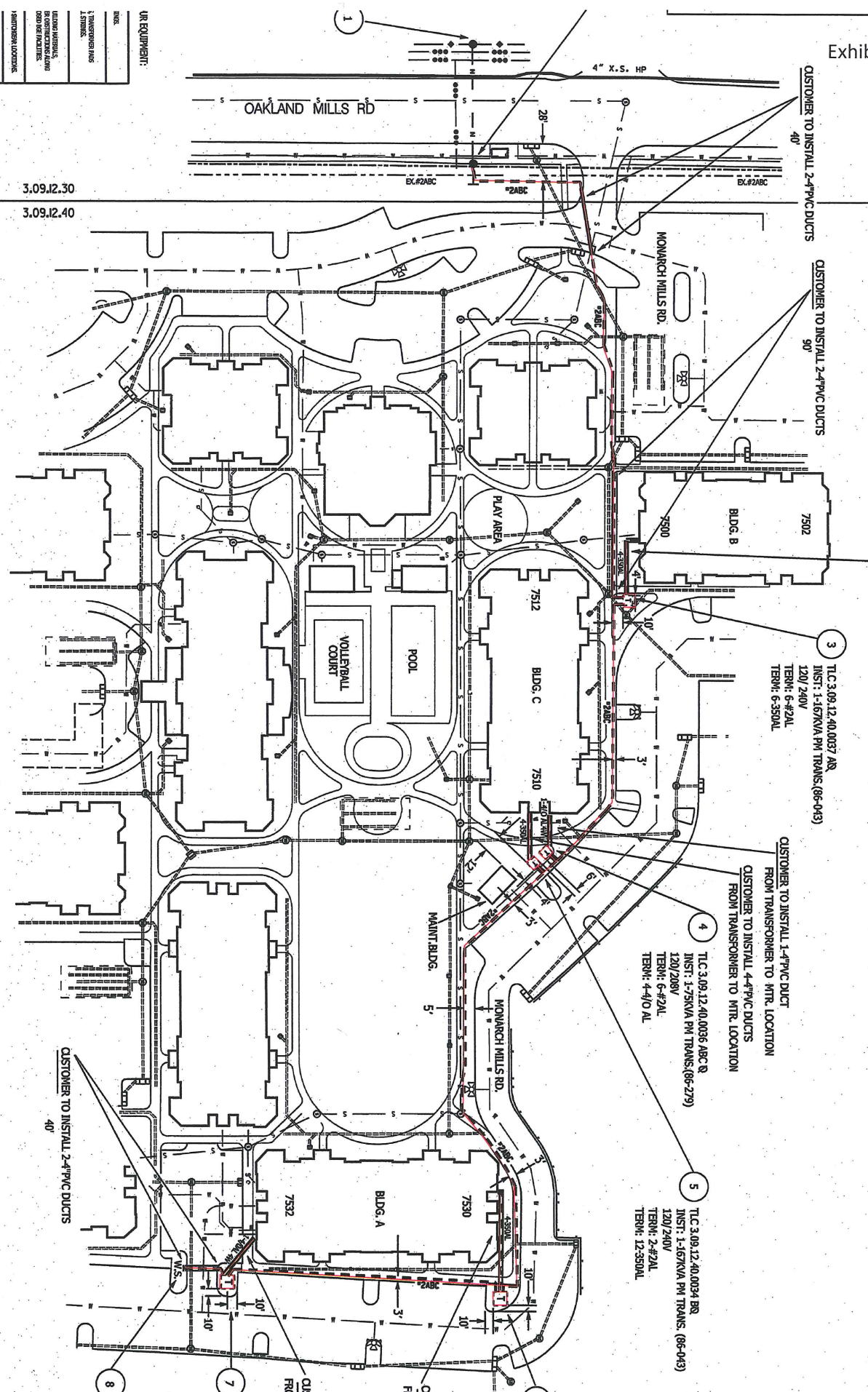
UR EQUIPMENT:

1. TRANSFORMER	2. MTR
3. DUCTS	4. TRUNKING
5. CONDUIT	6. TRAYS
7. DUCTS	8. TRAYS
9. TRAYS	10. TRAYS
11. TRAYS	12. TRAYS
13. TRAYS	14. TRAYS
15. TRAYS	16. TRAYS
17. TRAYS	18. TRAYS
19. TRAYS	20. TRAYS
21. TRAYS	22. TRAYS
23. TRAYS	24. TRAYS
25. TRAYS	26. TRAYS
27. TRAYS	28. TRAYS
29. TRAYS	30. TRAYS
31. TRAYS	32. TRAYS
33. TRAYS	34. TRAYS
35. TRAYS	36. TRAYS
37. TRAYS	38. TRAYS
39. TRAYS	40. TRAYS
41. TRAYS	42. TRAYS
43. TRAYS	44. TRAYS
45. TRAYS	46. TRAYS
47. TRAYS	48. TRAYS
49. TRAYS	50. TRAYS
51. TRAYS	52. TRAYS
53. TRAYS	54. TRAYS
55. TRAYS	56. TRAYS
57. TRAYS	58. TRAYS
59. TRAYS	60. TRAYS
61. TRAYS	62. TRAYS
63. TRAYS	64. TRAYS
65. TRAYS	66. TRAYS
67. TRAYS	68. TRAYS
69. TRAYS	70. TRAYS
71. TRAYS	72. TRAYS
73. TRAYS	74. TRAYS
75. TRAYS	76. TRAYS
77. TRAYS	78. TRAYS
79. TRAYS	80. TRAYS
81. TRAYS	82. TRAYS
83. TRAYS	84. TRAYS
85. TRAYS	86. TRAYS
87. TRAYS	88. TRAYS
89. TRAYS	90. TRAYS
91. TRAYS	92. TRAYS
93. TRAYS	94. TRAYS
95. TRAYS	96. TRAYS
97. TRAYS	98. TRAYS
99. TRAYS	100. TRAYS

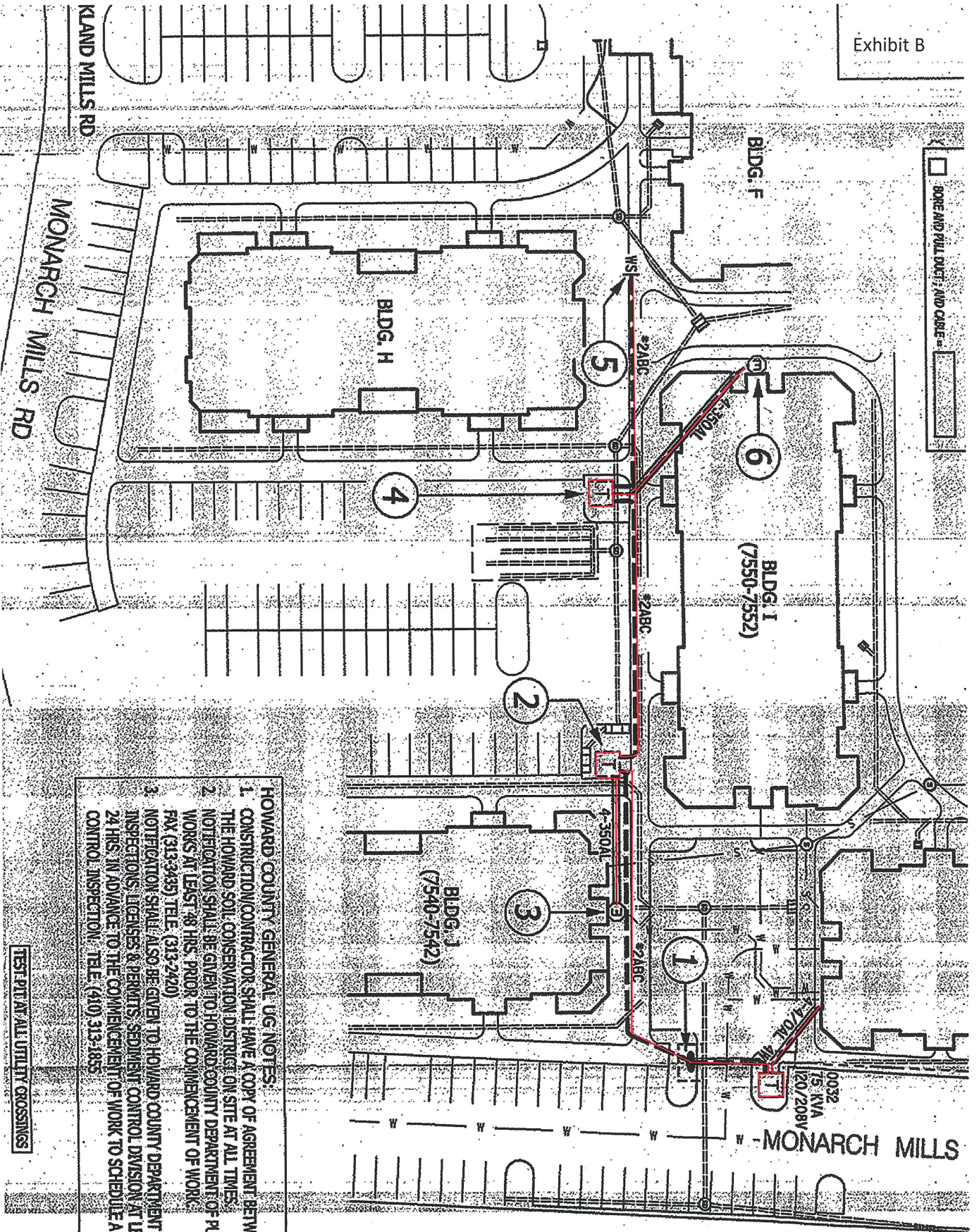
3.09.12.30
3.09.12.40

LOC.6 @ 7530 MONARCH MILLS RD. 3.09.12.40.0033
LOC.7 @ 7532 MONARCH MILLS RD. 3.09.12.40.0032

11TH AM



REV
REVISIT
REVISIT



HOWARD COUNTY GENERAL UG NOTES:

1. CONSTRUCTION/CONTRACTOR SHALL HAVE A COPY OF AGREEMENT BETWEEN BGE AND THE HOWARD SOIL CONSERVATION DISTRICT ON SITE AT ALL TIMES. NOTIFICATION SHALL BE GIVEN TO HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS AT LEAST 48 HRS. PRIOR TO THE COMMENCEMENT OF WORK. FAX (313-3435) TELE (313-2420)
2. NOTIFICATION SHALL ALSO BE GIVEN TO HOWARD COUNTY DEPARTMENT OF INSPECTIONS, LICENSES & PERMITS, SEDIMENT CONTROL DIVISION AT LEAST 24 HRS. IN ADVANCE TO THE COMMENCEMENT OF WORK TO SCHEDULE A SEDIMENT CONTROL INSPECTION. TELE (410) 313-1855
- 3.

TEST PIT AT ALL UTILITY CROSSINGS

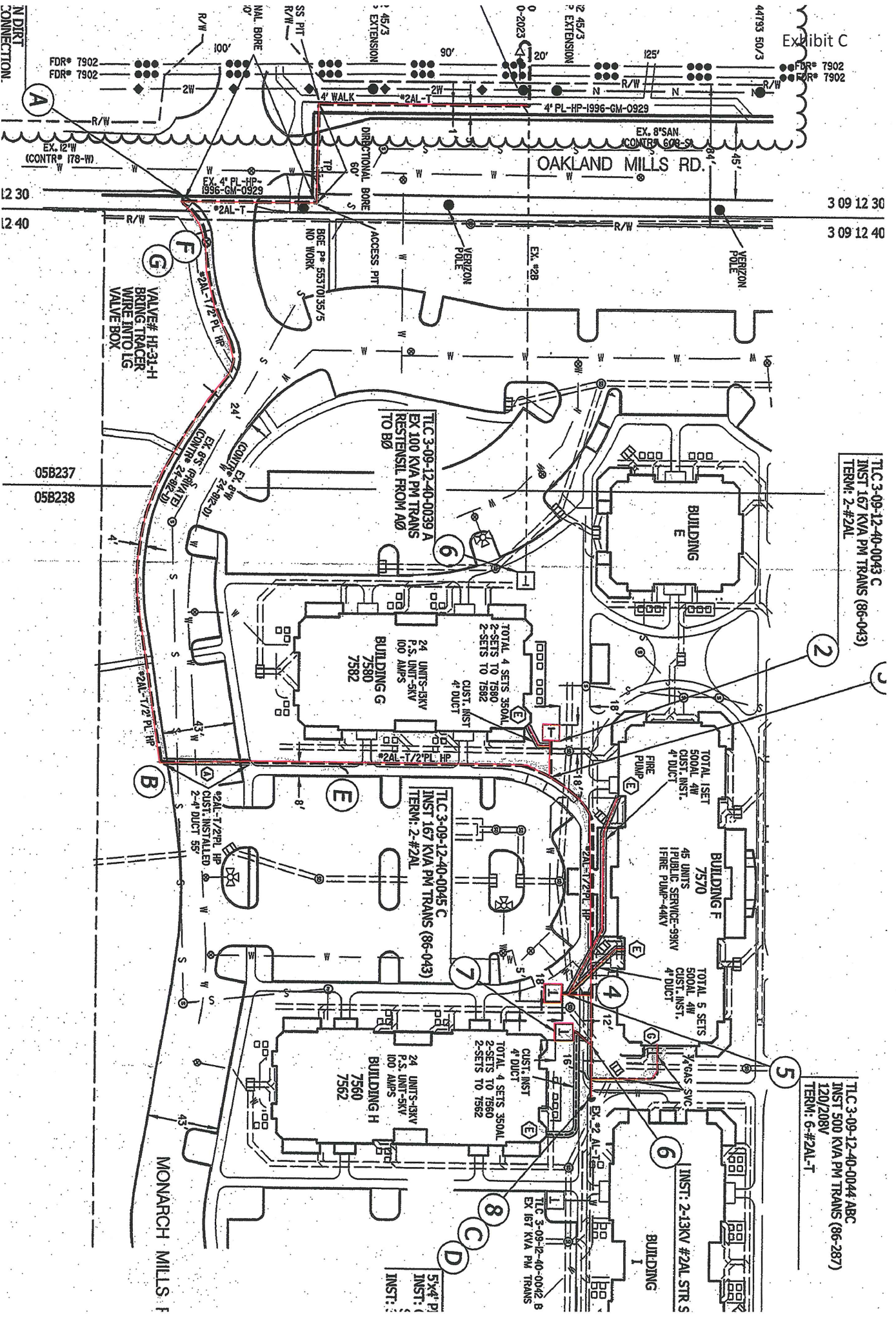
1 3' x 4' PI
INST: 3

2 TLC 3-05
INST: 1
TERM: 6

3 OUTSIDE

WATER & SEWER

CAUTION! SWITCH
BACK-FEED MAY
BE ALL SWITCHING PROCEDURE
WHILE ENERGIZING THIS 34



3 09 12 30

3 09 12 40

TLC 3-09-12-40-0043 C
 INST 167 KVA PM TRANS (86-043)
 TERM: 2-#2AL

TLC 3-09-12-40-0044 ABC
 INST 500 KVA PM TRANS (86-287)
 120/208V
 TERM: 6-#2AL-T

05B237
 05B238

12 30
 12 40

N DIRT
 CONNECTION

44793 50'3
 FDR# 7902
 FDR# 7902

OAKLAND MILLS RD.

MONARCH MILLS F

5x4\"

INST: 2-13KV #2AL STR S

TLC 3-09-12-40-0042 B
 INST 167 KVA PM TRANS

TLC 3-09-12-40-0045 C
 INST 167 KVA PM TRANS (86-043)
 TERM: 2-#2AL

TLC 3-09-12-40-0039 A
 EX 100 KVA PM TRANS
 RESTENSL FROM AD
 TO B0

VALVE# H-31-H
 BRING TRACER
 WIRE INTO LG
 VALVE BOX

FDR# 7902
 FDR# 7902

FDR# 7902
 FDR# 7902

EX. 8\"

EX. 4\"

EX. 12\"

EX. 12\"

TOTAL 5 SETS
 500L 4W
 CUST. INST.
 4\" DUCT

7/8\" GAS SVC

1/2\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

1/8\" GAS SVC

1/4\" GAS SVC

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"

EX. 12\"


Howard County
Internal Memorandum

Subject: Testimony & Fiscal Impact Statement
Council Resolution No. _____ - 2011 for the conveyance of an easement to the
Baltimore Gas and Electric Company at the new Monarch Mills Subdivision

To: Lonnie R. Robbins,
Chief Administrative Officer

From: James M. Irvin, Director *JMI*
Department of Public Works

Date: September 19, 2011

The Department of Public Works has been designated coordinator for preparation of testimony relative to the above referenced Council Resolution that provides for the conveyance of an easement to the Baltimore Gas and Electric Company (BGE) for County property located at the new Monarch Mills subdivision (formerly Guilford Gardens).

Site Development Plan No. SDP-09-045 – Guilford Gardens, Section 1, Area 1, Parcels “A1” & “A2” was approved for the construction of 224 Apartment Units and 45 Age Restricted Adult Apartments Units to be located at the new Monarch Mills site. As part of the construction, it is necessary for BGE to extend electrical service to the County site. As part of delivering this service extension, BGE will install, extend and maintain gas and electric facilities on, through and upon the site. Therefore, BGE has requested an easement for its facilities to be located on the County property.

A right of entry was granted to BGE in order to allow the construction of the site to continue while a permanent easement is conveyed. Attached is a Council Resolution authorizing the County Executive to grant the subject easement to BGE. BGE will not be required to compensate the County for this easement, in as much as its provides electrical services to the County property, and must have the easement to assure that they can continue to maintain their facilities.

The Housing Commission paid \$55,294.00 for the BGE extension of electrical service to the site, but this fee is established under BGE’s regulated rate structures, and incorporates the condition that there is no customer charge for necessary easements for the service facilities. The easement will be conveyed to BGE at no cost.

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.

TDH/mcs

cc: ✓ Jennifer Sager
Marcus Earvin, Housing
File

TAR/legislation/BGE-Monarch Mills

