

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 13

Resolution No. 181 -2023

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION declaring that a portion of certain real property consisting of 0.376 acres of land located on Rogers 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 Our Lady's Center, Inc., in exchange for the acquisition of 0.548 acres of adjacent property owned by Our Lady's Center; 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.

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This Resolution was read the third time and was Adopted __, Adopted with amendments __, Failed __, Withdrawn __, by the County Council on _____, 2023.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 SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, Howard County, Maryland (hereinafter the “County”) is the fee simple
2 owner of approximately 11.6640 acres of land known as Open Space Lot 11 on a subdivision plat
3 titled “Oak West, Section 1 Area 1, Lots 1 Thru 11” as recorded in the Land Records of Howard
4 County, Maryland as Plat Number 7505, and also being shown as Parcel 312 on Tax Map 25,
5 acquired by deed dated February 4, 1987 recorded in Liber 1752, Folio 026 in the Land Records
6 (the “County Property”); and

7
8 **WHEREAS**, Our Lady’s Center owns a parcel of land known as 3301 Rogers Avenue,
9 Ellicott City, Maryland and shown as Parcel 165 on Tax Map 25, acquired by deed from Frank C.
10 Lancelotta, said deed dated October 15, 1982 and recorded among the Land Records in Liber 1752,
11 folio 26 (the “Our Lady’s Center Property”); and

12
13 **WHEREAS**, approximately 0.548 acres (23,850 sq. ft.) of the Our Lady’s Center Property
14 is Open Space (the “Open Space”), shown in red in the attached Exhibit A; and

15
16 **WHEREAS**, Our Lady’s Center seeks to exchange and convey, or “swap”, the Open Space
17 to the County in exchange for the conveyance of a portion of the County Property, containing
18 approximately 0.376 acres (16,400 sq. ft.) of land, used as a parking lot (the “Parking Lot”), shown
19 in blue in the attached Exhibit A; and

20
21 **WHEREAS**, additionally, Our Lady’s Center agreed to convey to the County various
22 easements (the “Easements”) on Our Lady’s Center Property if the proposed land swap is approved
23 by County Council and the Easements will be used for Capital Project S-6283 to construct
24 improvements to the Sucker Branch Interceptor; and

25
26 **WHEREAS**, the Howard County Department of Public Works and the Department of
27 Recreation and Parks have reviewed and approved the proposed conveyance of the Parking Lot in
28 exchange for the Open Space; and

29
30 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
31 authorizes the County Council of Howard County, Maryland (the “County Council”) to declare

1 that property is no longer needed for public purposes and also authorizes the County Council to
2 waive advertising and bidding requirements for an individual conveyance of real property upon
3 the request of the County Executive; and
4

5 **WHEREAS**, the County Council has received a request from the County Executive to
6 waive the advertising and bidding requirements in this instance for the conveyance of the Parking
7 Lot to Our Lady’s Center in exchange for the acquisition of the Open Space from Our Lady’s
8 Center.
9

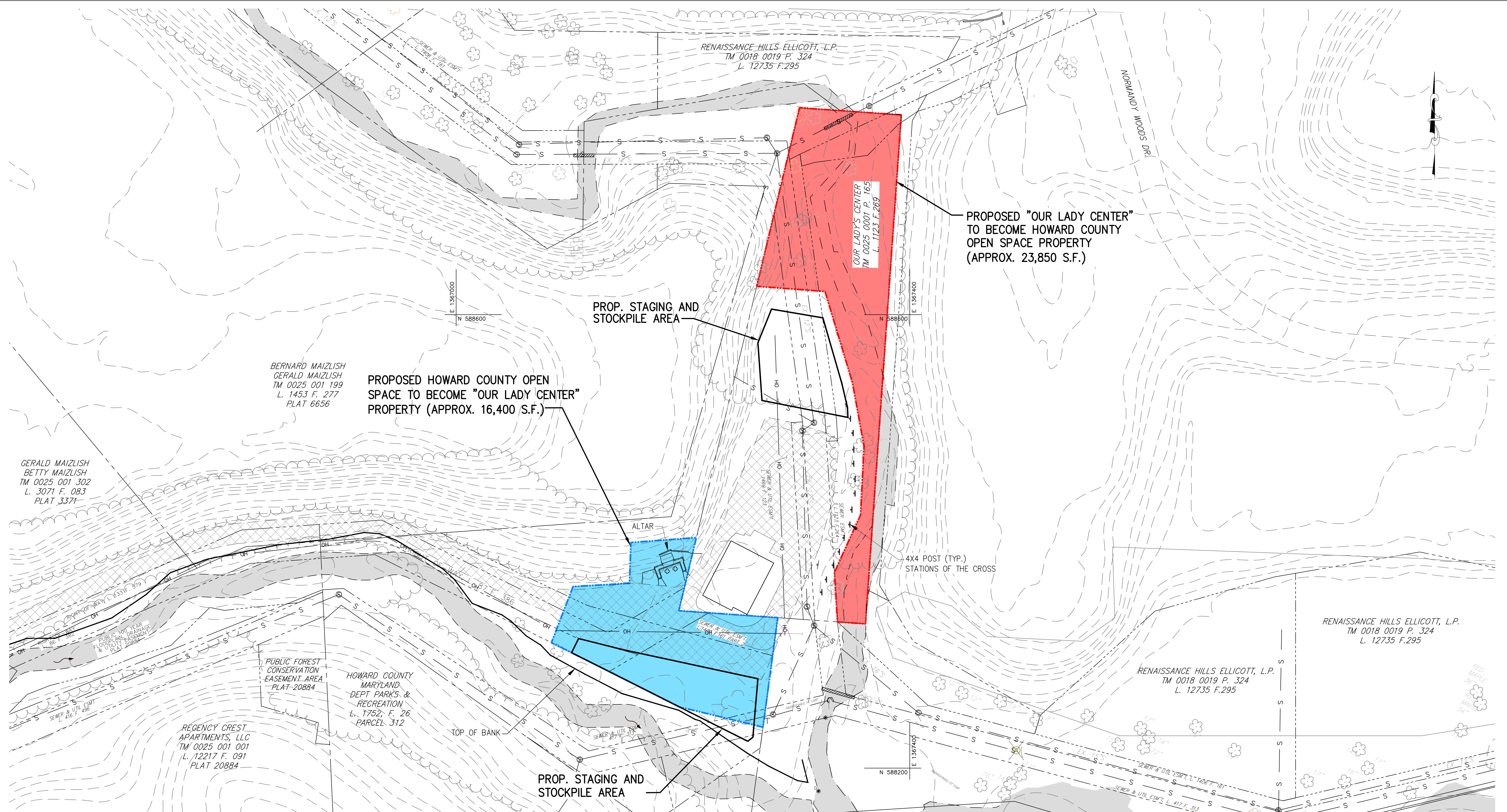
10 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
11 Maryland, this ____ day of _____, 2023, that the Parking Lot as shown in blue on
12 the attached Exhibit A containing approximately 0.376 acres (16,400 sq. ft.) of land in total is no
13 longer needed by the County for public purposes.
14

15 **AND BE IT FURTHER RESOLVED**, that the County Executive may convey fee simple
16 title to the Parking Lot to Our Lady’s Center and, in exchange, Our Lady’s Center will convey the
17 Open Space, containing approximately 0.548 acres (23,850 sq. ft.) of land to the County as shown
18 in red on the attached Exhibit A.
19

20 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
21 Executive and having held a public hearing, the County Council declares that the best interest of
22 the County will be served by authorizing the County Executive to waive the usual advertising and
23 bidding requirements of Section 4.201 of the Howard County Code for the conveyance of fee
24 simple title to Our Lady’s Center.
25

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

Exhibit "A"



LEGEND

- TREE LINE
- EX. PAVEMENT
- SANITARY
- PROPERTY LINE
- RIVER
- EASEMENT LINE
- PROP. HOWARD COUNTY
LAND ACQUISITION
- PROP. "OUR LADY CENTER"
LAND ACQUISITION

PLAN

SCALE: 1"=40'



PROPOSED HOWARD COUNTY/OUR LADY'S CENTER
LAND SWAP – PROPERTY EXHIBIT