



Howard County

Internal Memorandum

Subject: Testimony & Fiscal Impact Statement
Council Resolution No. ____ - 2024, declaring that a portion of a 20' public right of way easement to make openings and excavations, and to lay, construct, and maintain drains, water pipes, and other municipal utilities and services containing approximately 930 square feet conveyed to Howard County, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to terminate the easement interest in the property of the fee simple owner, Trotter 5857, LLC; waiving advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the easement interest to Trotter 5857, LLC; and providing that the County Executive is not bound to terminate the easement interest if he finds that the easement may have a public use.

To: Brandee Ganz,
Chief Administrative Officer

From: Yosef Kebede, Director
Department of Public Works YK

Date: October 24, 2024

The Department of Public Works has been designated coordinator for preparation of testimony declaring that a portion of a 20' public right of way easement to make openings and excavations, and to lay, construct, and maintain drains, water pipes, and other municipal utilities and services containing approximately 930 square feet, conveyed to Howard County, Maryland, is no longer needed by the County for public purposes, authorizing the County Executive to terminate the easement interest, vesting title to the fee simple owner, Trotter 5857, LLC (the "Owner"); and providing that the County Executive is not bound to terminate the easement interest if he finds that the easement may have a further public use.

As part of Capital Project WP-8054 – Phase 2 – Anderson Avenue Water Main Extensions, the County acquired a right of way for a water main (the "20' Public Water and Utility Easement") by Deed and Agreement dated February 2, 1974 and recorded among the Land Records of Howard County, Maryland in Liber 671, folio 165, on February 27, 1974, on that certain real property commonly known as 6399 Anderson Avenue, Hanover, Maryland 21076.

The Owner is the fee simple owner of that certain real property commonly known as 6399 Anderson Avenue, Hanover, Maryland 21076 and shown as Parcel 232 on Tax Map 38 (collectively, the "Property").

The Director of Public Works has received a written petition from the Owner to release a portion of the 20' Public Water and Utility Easement containing approximately 930 square feet, as described and shown as "Ex. 20' Public Water R/W L.671 F.165 To Be Extinguished By This Plat (930 SF)" (the "Easement to be Abandoned") on the attached final subdivision plat F-24-017 titled "The Aerie in Elkridge, Lots 1-8 and Open Space Lots

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9 and 10” (the “Plat”).

The County has reviewed the plans submitted by the Owner under Contract No. 14-5114-D titled “The Aerie in Elkridge, Public Water and Public Sewer Plans, Contract No. 14-5114-D” (the “Plans”), and has determined that the Easement to be Abandoned is no longer required for public purposes.

In accordance with the Plans, the Owner shall modify the existing water main and construct an 8” water main on the Property dedicated to the County described and shown as “Public 30’ Water, Sewer and Utility Easement” (the “30’ Public Water, Sewer and Utility Easement”) on the Plat and subject to the County’s acceptance, shall convey the 30’ Public Water, Sewer and Utility Easement to the County.

Section 4.201, “Disposition of real property” of the Howard County Code authorizes the County Council to declare that the Easement to be Abandoned is no longer needed for the public purposes.

There is no fiscal impact associated with this termination of easement.

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.

YK/jz

cc: Jennifer Sager
File

RIM/Legislation/2024/TheAerieInElkridge-Contract No.14-5114-D/Testimony