County Council of Howard County, Maryland

2025 Legislative Session

Legislative Day No. 2

Resolution No. 45 -2025

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

Short Title: Easement – 0.0357 acres - Baltimore Gas and Electric – County Property along Church Ave.

Title: A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement containing 0.0357 acres to Baltimore Gas and Electric Company 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; adding certain reporting requirements for Baltimore Gas and Electric Company to the County Council; 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.

Introduced and read first time Fub 3, 2025.	By order	Michille Sources
		Michelle Harrod, Administrator
Read for a second time at a public hearing on	, 2025.	
	By order	Michelle Harrod, Administrator
		/ / / / / / / / / / / / / / / / / / /
This Resolution was read the third time and was Adopted, Adopted with a	amendments	, Failed, Withdrawn, by the County Council
on <u>Naval 3</u> , 2025.		•
	Certified	By Muchily Horry
	-	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 (the "County") is the fee simple owner of property shown
2	as Lot 24, Parcel 364 on Tax Map 38 (the "County Property"), located along Church Ave; and
3	
4	WHEREAS, Baltimore Gas and Electric Company ("BGE") has requested an easement
5	containing 0.0357 acres, more or less, (the "Easement"), as shown in the attached Exhibit A, to
6	install communication facilities on the County Property for use in connection with BGE's
7	electric utility business and for any other communication purpose, including the provision of
8	infrastructure to enable internet providers to reach communities within the County (the
9	"Communication Facilities"); and
10	
11	WHEREAS, the Communication Facilities include, but are not limited to, wires, cables,
12	fiber optic cables, and conduits; and
13	
14	WHEREAS, BGE will be required to restore at BGE's expense the County Property to a
15	condition equal to or better than its condition immediately preceding any opening, excavation, or
16	other work in the easement area for the installation or maintenance of the Communication
17	Facilities; 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 of Howard County, Maryland (the "County Council") to declare
24	that property is no longer needed for public purposes and also authorizes the County Council to
25	waive advertising and bidding requirements for an individual conveyance of real property upon
26	the request of the County Executive; and
27	
28	WHEREAS, the County Council has received a request from the County Executive to
29	waive the advertising and bidding requirements in this instance for the grant of the Easement to
30	BGE.
31	

1	NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County,
2	Maryland, this day of, 2025, that the County Executive may
3	convey an Easement containing 0.0357 acres, as shown in the attached Exhibit A, to BGE.
4	
5	AND BE IT FURTHER RESOLVED that, having received a request from the County
6	Executive and having held a public hearing, the County Council declares that the best interest of
7	the County will be served by authorizing the County Executive to waive the usual advertising
8	and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
9	the Easement to BGE.
10	
11	AND BE IT FURTHER RESOLVED that, if the County Executive finds that the
12	property may have a further public use with which the Easement will interfere and, therefore,
13	that the Easement should not be granted, he is not bound to grant the Easement in accordance
14	with this Resolution.
15	
16	AND BE IT FURTHER RESOLVED by the County Council of Howard County,
17	Maryland that upon completion of its Grid Communication and Connectivity Program route,
18	BGE shall, within one year of project completion and annually thereafter, provide a report to the
19	County Council on the following:
20	1. Lease terms and revenue benefit to BGE from each fiber optic contract with third
21	parties;
22	2. Average monthly cost increase to County ratepayers to fund this program; and
23	3. Average savings to County ratepayers, as a result of revenue generated by this
24	program.
25	



AN EXELON COMPANY

Exhibit A

FIBER GRID DEMONSTRATION PROJECT HOWARD TO PUMPHREY CHURCH AVE PERMANENT EASEMENT MAP HOWARD COUNTY,MD

SITE LOCATION MAP

LEGEND

PROP. FIBEROPTIC DUCT BUNDLE EX. STREAM EX. STREAM BUFFER EX. WETLANDS EX. WETLANDS BUFFER

EX. 100YR FLOODPLAIN EX, TREE LINE EX, TOWER OVERHEAD ELECTRIC RIGHT OF WAY BUILDINGS EX. ROADWAY / EDGE OF PAVMENT BGE RIGHT OF WAY

EASEMENT AREA (APX. 10'W X 182'L 1,554.36 SF)



GENERAL NOTES:

NERAL NOTES:
PARCEL BOUNDARIES REFERENCED FROM HOWARD COUNTY GIS
PLATFORM LAST UPDATED IN 2022.
PLATFORM LAST UPDATED WITHOUT THE BENEFIT OF OF A
TITLE SEANCH AND IS SUBJECT TO ANY EASEMENTS,
RIGHT-OF-WAY, OR OTHER ENCUMBRANCES AS MAY BE EVIDENCED
BY ANY SUBSCOURT ITTLE SEANCH AN APPROX. 10 FOOT WIDE
AREA (S FEST ETHER SIEDE) ON THE FINAL CENTERLINE OF THE
INSTALLED FIBER OPTIC CONDUIT BUNDLE.

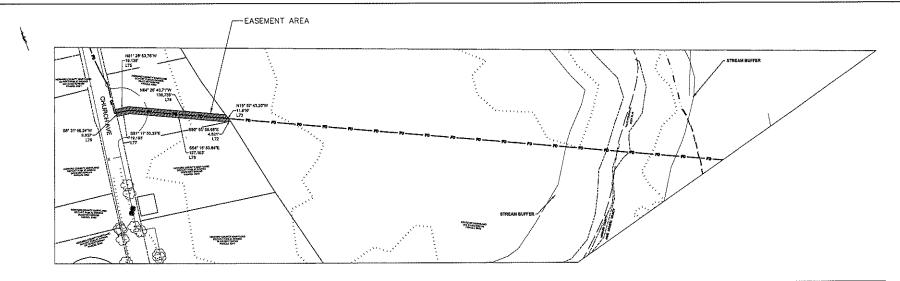


ZAC 1/17/2025

1 ISSUED FOR CONSTRUCTION

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	BGE OA CHECK		-	MAINTYPE STEEL []	— PSIG HOURS				HEC	RICGRID	GAS PLATE
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	EASEMENT A	REA
LINE NO.	BEARING/RADIUS	DISTANCE (FT)
L72	\$80° 55' 58.58*E	4.62
L73	N15° 57' 43.20"W	11.61
L74	N64° 26' 43.71*W	136.74
L75	N81° 28' 53.76"W	19.14
L76	S8° 31' 06,24"W	9.94
L77	S81° 17' 33.33"E	19.10
L78	\$64° 15' 50.84*E	137.10



ADVISION DESCRIPTION

01 ISSUED FOR CONSTRUCTION

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ZAC 1/17/2025 start

IIBK PROJECT NO. 12-457

INFORMATION AND THE PROJECT OF THE PROJEC

Amendment 1 to Council Resolution No. 45-2025

BY: Liz Walsh

Legislative Day 3
Date: March 3, 2025

Amendment No. 1

(This Amendment adds a reporting requirement for Baltimore Gas and Electric Company (BGE) upon completion of the Middle-Mile communications infrastructure project)

- On the Title page, in line 5 of the Title, after the semi-colon, insert the following: "adding certain
- 2 reporting requirements for Baltimore Gas and Electric Company to the County Council;"

4 On page 2, following line 14, insert the following:

5

3

- 6 " AND BE IT FURTHER RESOLVED by the County Council of Howard County,
- 7 Maryland that upon completion of its Grid Communication and Connectivity Program route,
- 8 BGE shall, within one year of project completion and annually thereafter, provide a report to the
- 9 County Council on the following:
- 10 <u>1. Lease terms and revenue benefit to BGE from each fiber optic contract with third</u>
- 11 parties;
- 2. Average monthly cost increase to County ratepayers to fund this program; and
- 3. Average savings to County ratepayers, as a result of revenue generated by this
- 14 program.

15

passed on Navch 3, 2025

Council Administrator



Subject:

Testimony & Fiscal Impact Statement

Council Resolution No. ___ - 2025, authorizing the County Executive to grant an easement containing 0.0357 acres to Baltimore Gas and Electric Company 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

Signed by:

USSIF kelbide

B4217725EREC47G

Date:

January 23, 2025

The Department of Public Works (the "Department") has been designated coordinator for preparation of testimony relative to the above referenced Council Resolution for the granting of an easement containing 0.0357 acres (the "Easement Area") to the Baltimore Gas and Electric Company ("BGE") located on property owned by Howard County, Maryland, shown as Lot 24, Parcel 364 on Tax Map 38 (the "County Property").

BGE has requested an easement to install communication facilities on the County Property 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 easement area for the installation or maintenance of the Communication Facilities.

The Department of Public Works has reviewed and approved the proposed grant of easement to BGE for the installation of the Communication Facilities.

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.

Page 2 of 2

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 Easement.

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

County Council of Howard County, Maryland

2025 Legislative Session	Legislative Day No. 2			
Resolution No. <u>45</u> -2025	•			
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bidding requirements of Section 4.201 of the Howard Con				
County Executive is not bound to grant the easement if he				
further public use.				
Introduced and read first time, 2025.				
By order	lle Harrod, Administrator			
	elle Harrod, Administrator			

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Certified By ______ Michelle Harrod, Administrator

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NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, 1 Maryland, this _____ day of ______, 2025, that the County Executive may 2 convey an Easement containing 0.0357 acres, as shown in the attacked Exhibit A, to BGE. 3 4 AND BE IT FURTHER RESOLVED that, having received a request from the County 5 Executive and having held a public hearing, the County Council declares that the best interest of 6 the County will be served by authorizing the County Executive to waive the usual advertising 7 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of 8 the Easement to BGE. 9 10 AND BE IT FURTHER RESOLVED that, if the County Executive finds that the 11 property may have a further public use with which the Easement will interfere and, therefore, 12 that the Easement should not be granted, he is not bound to grant the Easement in accordance 13 with this Resolution. 14