




# Howard County

*Internal Memorandum*

**Subject:** Testimony & Fiscal Impact Statement  
Council Resolution No. - 2012 authorizing the County Executive to grant  
a permanent water main connection easement and a permanent sewer  
house connection easement to Charles V. Lewis, Jr. and Leslie M. Ryan

**To:** Lonnie R. Robbins,  
 Chief Administrative Officer

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

**Date:** June 22, 2012

The Department of Public Works (the "Department") has been designated coordinator for preparation of testimony relative to the above referenced Council Resolution that authorizes the County Executive to grant a permanent water main connection easement and a permanent sewer house connection easement to Charles V. Lewis, Jr. and Leslie M. Ryan.

G&R Rogers Development Corp., is the Developer of a subdivision titled "Rockland at Rogers" (the "Subdivision"). The Developer advised the County that in order to construct its Subdivision it had to blast through rock in the area, and allegedly as a result of the blasting, the Charles V. Lewis, Jr. and Leslie M. Ryan (Lewis/Ryan) well was damaged. The Developer, at its sole cost and expense, is currently providing an alternative water supply to the Lewis/Ryan property and has agreed to connect the Lewis/Ryan Property to the public water main constructed in the Subdivision.

In order to connect the Lewis/Ryan Property to the public water main, the Developer has requested that the County to: (i) grant permission to the Developer to construct a water house connection on and through County Property that will provide service to the Lewis/Ryan Property and (ii) grant a permanent water main connection easement to the Charles V. Lewis, Jr. and Leslie M. Ryan. The County has reviewed the Developer's request and offers the following information:

1. The County is the fee simple owner of certain real property known as (i) Open Space Lot 77 located in the Subdivision by virtue of Developer's delivery of that certain deed dated February 7, 2011 and recorded among the aforesaid Land Records at Liber 13169, folio 473, and (ii) Parcel 278 by virtue of that certain deed from Samuel M. Pistorio and Constance V. Pistorio, said deed dated June 30, 1982 and recorded among the Land Records at Liber 1108, folio 612, (all collectively the "County Property").

2. Charles V. Lewis, Jr. and Leslie M. Ryan are the fee simple owners of certain real property known as 2938 Rogers Avenue, Ellicott City, Maryland acquired from Matthew J. Mundorf and Michael J. Mundorf by Deed dated March 21, 2008 and recorded among the aforesaid Land Records in Liber 11166, folio 177, and further identified on Tax Map No. 17 as Parcel 99.
3. In October, 2004, the County granted, by a Right of Entry Agreement, permission for Janelle Sterner (a prior owner of the Lewis/Ryan property) to install a sewer house connection to allow the property to connect to public sewer system.

The Department of Public Works has reviewed the request of the Developer and has determined that in order for the Lewis/Ryan Property to have access to the public water system being constructed by the Developer, the Developer must cross County property. The department feels that the sewer house connection granted to the former owner of the Lewis/Ryan Property should be converted to a permanent easement. Based on this information, the Department feels it is in the public interest to convey a permanent easement for water and sewer house connections to Charles V. Lewis, Jr. and Leslie M. Ryan.

There is no fiscal impact to the County for the following reasons:

1. The Developer, at its expense, will construct the water house connection through the County's properties to serve the Lewis/Ryan Property. After construction, the maintenance responsibility will be the property owners.
2. The sewer house connection was constructed in 2004 and is currently being maintained by the property owners.

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

cc: ✓ Jennifer Sager  
Dave Loudermilk  
File

TAR/legislation/Lewis Property/Testimony Memo-Lewis