

County Council of Howard County, Maryland

2009 Legislative Session

Legislative day # 15

RESOLUTION NO. 89 - 2009

Introduced by: The Chairperson at the request of
Speedway Rock LLC, Binder Rock LLC, and Deerpath Rock, LLC.

A RESOLUTION to close a portion of Deerpath Road, as shown in Exhibits A and B, in
accordance with Section 18.204 of the Howard County Code.

Introduced and read first time on _____, 2009.

By order _____
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2009.

By order _____
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted __, Adopted with amendments __, Failed __, Withdrawn __ by the County Council
on _____, 2009.

Certified by _____
Stephen LeGendre, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN ALL CAPITALS indicates additions to existing language.
~~Strike out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, in accordance with Section 18.204 of the Howard County Code, Speedway
2 Rock LLC, Binder Rock LLC, and Deerpath Rock, LLC (collectively referred to as the
3 “petitioner”) have petitioned the Howard County Council to close a portion of Deerpath Road;
4 and

5 **WHEREAS**, Section 18.204 of the Howard County Code provides for the closure of an
6 existing county road by adoption of a County Council resolution; and

7 **WHEREAS**, the portion of Deerpath Road to be closed is approximately 1,130 feet long
8 at the northwest dead-end of the road and is more particularly described in Exhibit A and shown
9 on the attached plat identified as Exhibit B; and

10 **WHEREAS**, the road was conveyed to Howard County, Maryland by Dorsey Business
11 Center Limited Partnership in a deed dated February 20, 1990, recorded among the land records
12 of Howard County, Maryland on March 8, 1990, at Liber 2138, Folio 436; and

13 **WHEREAS**, petitioner and petitioner’s clients, tenants, and invitees are the exclusive
14 users of the portion of Deerpath Road to be closed; and

15 **WHEREAS**, there are no homes or connecting streets along the portion of Deerpath
16 Road to be closed; and

17 **WHEREAS**, the Departments of Public Works, Planning and Zoning, Police, and Fire
18 and Rescue Services have each reviewed the proposal to close this portion of Deerpath Road and
19 each has determined the closure of this portion of Deerpath Road will not affect public safety,
20 the traffic network, or public convenience; and

21 **WHEREAS**, the petitioner owns the majority of the land adjacent to the proposed closed
22 portion of Deerpath Road; and

23 **WHEREAS**, the petitioner has paid a fee in accordance with Section 18.204 to cover the

costs of advertising the proposed closing, notifying adjoining property owners, and posting Deerpath Road; and

WHEREAS, notice of the proposed closing and abandoning of a portion of Deerpath Road has been posted and advertised and the adjoining property owners have been notified in accordance with Section 18.204; and

WHEREAS, the petitioner, at its cost and expense, will cause the closure of the portion of Deerpath Road, as described and shown in Exhibits A and B, in accordance with all applicable Howard County standards and specifications.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland this _____ day of _____, 2009 that, in accordance with Section 18.204 of the Howard County Code, the closure of 1,130 linear feet of Deerpath Road as shown on Exhibits A and B will not adversely affect public safety, the traffic network, or public convenience.

BE IT FURTHER RESOLVED, that the portion of Deerpath Road described and shown in Exhibits A and B is no longer need as a public road and shall be closed.

BE IT FURTHER RESOLVED, that the petitioner shall bear all of the costs and expenses associated with closure of the described portion of Deerpath Road.