

County Council Of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 1

Resolution No. 3 -2016

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

A RESOLUTION declaring that a total of approximately 0.010 acres of real property owned by Howard County and identified as a portion of Whiskey Bottom Road is no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the property to the owner of the adjacent property; and providing that the County Executive is not bound to convey the property if he finds that the land may have a further public use.

Introduced and read first time _____, 2016.

By order _____
Jessica Feldmark, Administrator

Read for a second time at a public hearing on _____, 2016.

By order _____
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2016.

Certified By _____
Jessica Feldmark, 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 is the fee simple owner of certain real property known as a
2 portion of Whiskey Bottom Road containing approximately 0.010 acres of land (the “County
3 Property”) as acquired by Deed dated December 27, 2005 and recorded among the Land Records
4 of Howard County in Liber 9749, folio 684; and

5
6 **WHEREAS**, the County Property is as described in Exhibit A and shown on the certified
7 plat identified as Exhibit B; and

8
9 **WHEREAS**, by passage of Council Resolution No. 2-2016, the County Council closed
10 the above referenced portion of Whiskey Bottom Road and the County may now quit claim its
11 interest in such portion of Whiskey Bottom Road in accordance with County law; and

12
13 **WHEREAS**, the owner of the property adjacent to the County Property is Emerson
14 Development VIII LLC; and

15
16 **WHEREAS**, in order to enlarge a security fence surrounding a secure facility that was
17 partly enabled by a similar nearby property disposal approved by Council Resolution 119-2011,
18 Emerson Development VIII LLC has asked that the County Property be disposed of in
19 accordance with Section 4.201 of the Howard County Code; and

20
21 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
22 disposal of the County Property; and

23
24 **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code
25 authorizes the County Council to declare that property is no longer needed for public purposes
26 and also authorizes the County Council to waive advertising and bidding requirements for an
27 individual conveyance of real property upon the request of the County Executive; and

28
29 **WHEREAS**, the County Council has received a request from the County Executive to
30 waive the advertising and bidding requirements in this instance for the conveyance of the County
31 Property to Emerson Development VIII LLC.

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NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland, this ____ day of _____, 2016, that a public purpose is served by conveying the County Property comprising approximately 0.010 acres to Emerson Development VIII LLC, as described in the attached Exhibit A and as shown in the attached Exhibit B.

AND BE IT FURTHER RESOLVED that, having received a request from the County Executive and having held a public hearing, the County Council declares that the best interest of the County will be served by authorizing the County Executive to waive the usual advertising and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of the County Property to Emerson Development VIII LLC.

AND BE IT FURTHER RESOLVED that, if the County Executive finds that the County Property may have a further public use and that the County Property should not be conveyed, he is not bound to convey the County Property in accordance with this Resolution.



Description

0.010 Acre Parcel

A Portion of Whiskey Bottom Road

To Be Closed

Sixth Election District,

Howard County, Maryland

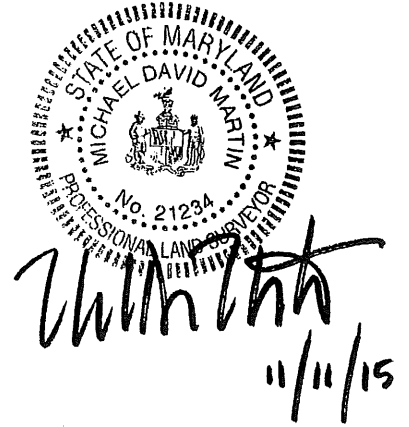
Beginning for the same at a point being known and designated as Point No. 12 as laid out and shown on a plat entitled, " Revitz Property, Parcel D-1, a Revision to Parcel D-1 Revitz Property" dated July 16, 2008 and recorded among the Land Records of Howard County as Plat No. 20042, said point also being on the southern right-of-way line of Whiskey Bottom Road ; thence leaving said point of beginning and said southern right-of-way line and running with and binding on a portion of the boundary of Parcel D-1 as laid out on the abovementioned plat, referring all courses of this description to the Maryland Coordinate System (NAD83/1991): (1) Southwesterly by a line curving to the left, having a radius of 10.00 feet, for a distance of 15.71 feet (the arc of said curve being subtended by a chord bearing South 27 degrees 19 minutes 13 seconds West 14.14 feet); thence (2) South 17 degrees 40 minutes 47 seconds East 10.00 feet; thence (3) South 72 degrees 19 minutes 13 seconds West 20.00 feet; thence (4) North 17 degrees 40 minutes 47 seconds West 22.51 feet; thence leaving the boundary of said Parcel D-1 and running across a portion of the existing Whiskey Bottom right-of-way, (5) Northeasterly by a line curving to the left, having a radius of 110.00 feet, for a distance of 23.56 feet (the arc of said curve being subtended by a chord bearing North 78 degrees 27 minutes 26 seconds East 23.52 feet); thence (6) North 72 degrees 19 minutes 13 seconds East 6.62 feet to the point of beginning; containing 441 square feet

or 0.010 acres of land, more or less, as now described by Daft-McCune-Walker, Inc. on

November 11, 2015.

November 11, 2015

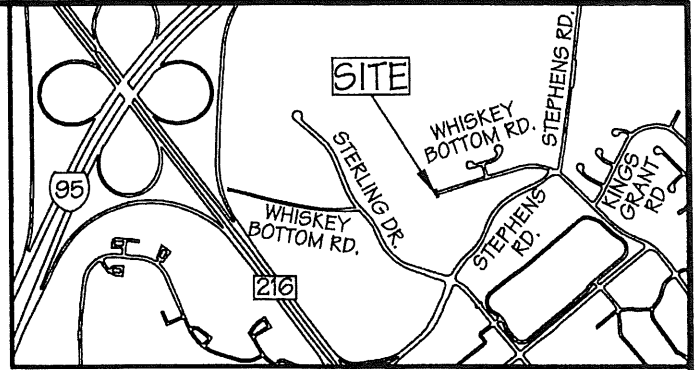
Project No. 95054.MS (L95954.MS)



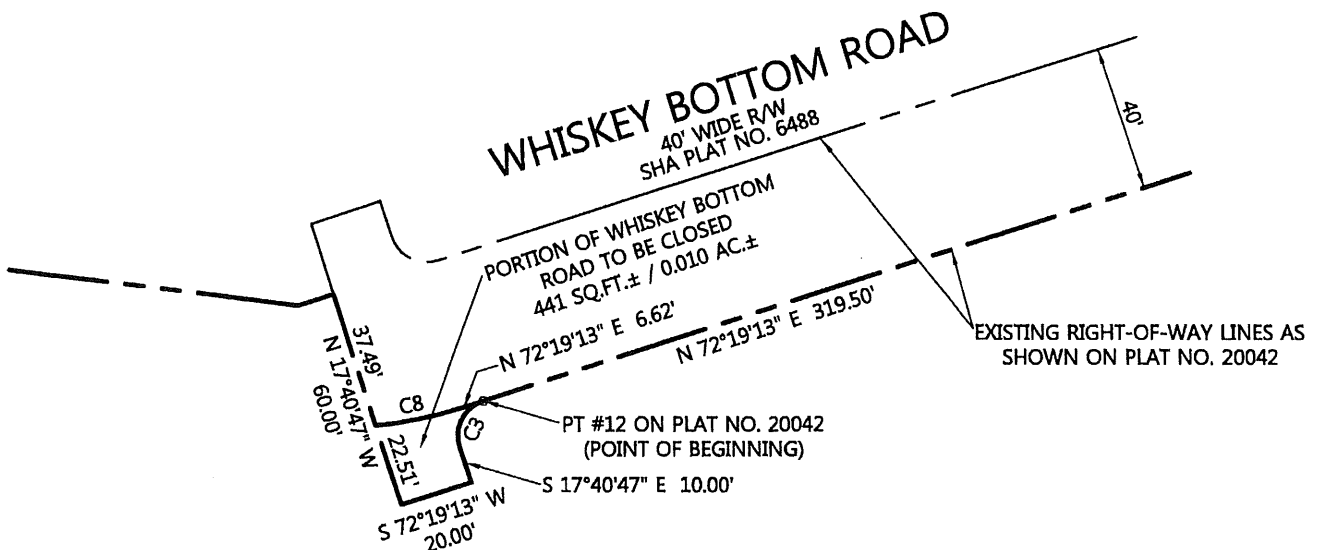
Michael D. Martin
11/11/15

MARYLAND COORDINATE SYSTEM
NAD83(1991)

EXHIBIT B



VICINITY MAP
SCALE: 1"=2000'



PARCEL D-2
EMERSON DEVELOPMENT VIII LLC
DEED L. 14572 / F. 034
PLAT NO. 20042
10.633 AC. ±



Michael D. Martin
11/11/15
EXP. DATE: 1/19/17

CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC	CHORD BEARING	LENGTH	TANGENT
C3	90°00'00"	10.00'	15.71'	N 27°19'13" E	14.14'	10.00'
C8	12°16'27"	110.00'	23.56'	N 78°27'26" E	23.52'	11.83'

EXHIBIT PLAT SHOWING CLOSING OF A PORTION OF WHISKEY BOTTOM ROAD

6th ELECTION DISTRICT HOWARD COUNTY, MARYLAND

Field Crew: N/A Scale: 1"=50' Date: 11/11/15
Drawn by: M.D.M. Checked by: D.M. Job No.: 95054



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