

County Council Of Howard County, Maryland

2015 Legislative Session

Legislative Day No. 13

Resolution No. 183-2015

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

A RESOLUTION pursuant to Section 4.201 of the Howard County Code, authorizing the County Executive to grant an easement containing a total of approximately 0.537 acres on certain real property owned by the County located at 10741 Little Patuxent Parkway, Columbia; 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 land may have a further public use.

Introduced and read first time December 7, 2015.

By order Jessica Feldmark, Administrator

Read for a second time at a public hearing on December 21, 2015.

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This Resolution was read the third time and was Adopted, Adopted with amendments, Failed, Withdrawn, by the County Council on January 4, 2016.

Certified By Jessica Feldmark, Administrator

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

1 **WHEREAS**, the County is the fee simple owner of certain real property known as Parcel
2 275, Lot C-1 on Tax Map 35 containing approximately 1.491 acres as acquired from Patuxent
3 Parkway, LLC by Deed dated October 18, 2013 and recorded in the Land Records of Howard
4 County, Maryland in Liber 15385, folio 444 (the “County Property”); and

5
6 **WHEREAS**, Howard Community College (“Community College”) is constructing a new
7 parking garage to provide additional parking; and

8
9 **WHEREAS**, the Community College has submitted a plat entitled “Plat of Revision of
10 Lots C-1 & C-2, Plat Book 26, Page 47, Columbia Town Center, Section 6, Area 2, Lots C-1 and
11 C-2” a draft of which is attached hereto as Exhibit A; and

12
13 **WHEREAS**, in addition to the existing entrance, the design of parking garage will
14 provide access at a second location on Little Patuxent Parkway; and

15
16 **WHEREAS**, in order to provide access to the parking garage from Little Patuxent
17 Parkway, easements are needed across the County Property and the adjacent lot along Little
18 Patuxent Parkway, Lot C-2, which is owned in fee simple by George C. Peverly, III and Daniel
19 H. Redding; and

20
21 **WHEREAS**, the Community College has asked for the following easements
22 (collectively, the “Easements”), as shown in Exhibit A, across the County Property:

23 (1) Private Variable Width Use-in-Common Access Easement for Lot A-2 and Parking
24 Garage and Private Stormwater Management Access & Utility Easement for Lot A-2,
25 9,369 Sq. Ft. or 0.215 Ac., more or less; and

26 (2) Private Stormwater Management Facility, Access & Utility Easement 14,032 Sq. Ft.
27 or .322 Ac., more or less; and

28
29 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
30 Easements; and

1 **WHEREAS**, Section 4.201, “Disposition of Real Property,” of the Howard County Code
2 authorizes the County Council to declare that property is no longer needed for public purposes
3 and also authorizes the County Council to waive advertising and bidding requirements for an
4 individual conveyance of real property upon the request of the County Executive; and
5

6 **WHEREAS**, as a matter of course, even when the County retains fee ownership of the
7 property and continues its use of the property upon which an easement is granted, the County
8 Executive requests the County Council to approve the easement under Section 4.201; and
9

10 **WHEREAS**, the County Council has received a request from the County Executive to
11 waive the advertising and bidding requirements in this instance for the grant of the Easements to
12 the Community College.
13

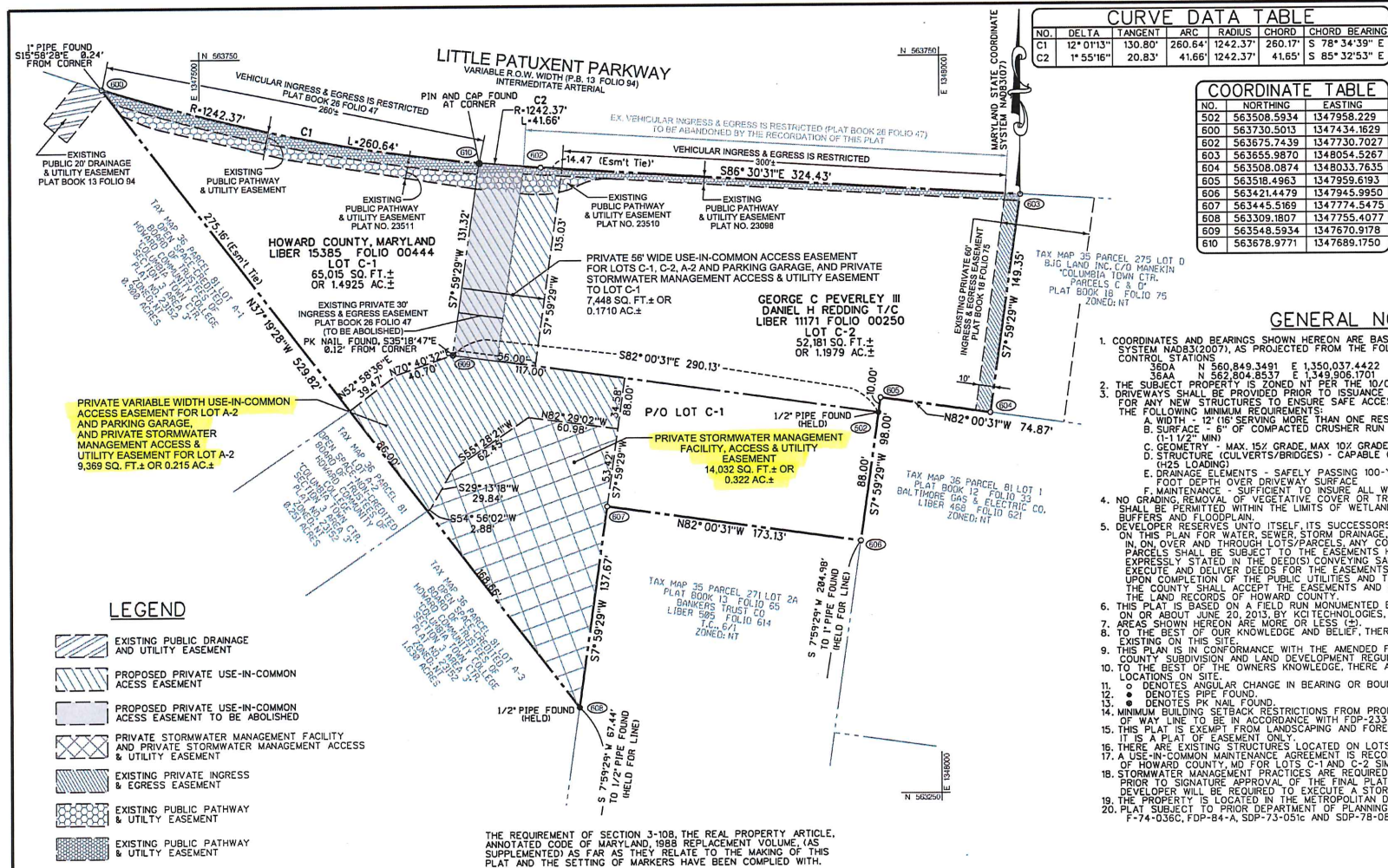
14 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
15 Maryland, this 4th day of January, 2016, that the following Easements are
16 granted to Howard Community College:

- 17 (1) Private Variable Width Use-in-Common Access Easement for Lot A-2 and Parking
18 Garage and Private Stormwater Management Access & Utility Easement for Lot A-2,
19 9,369 Sq. Ft. or 0.215 Ac., more or less; and
20 (2) Private Stormwater Management Facility, Access & Utility Easement 14,032 Sq. Ft.
21 or .322 Ac., more or less (collectively the “Easements”).
22

23 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
24 Executive and having held a public hearing, the County Council declares that the best interest of
25 the County will be served by authorizing the County Executive to waive the usual advertising
26 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
27 the Easements to Howard Community College.
28

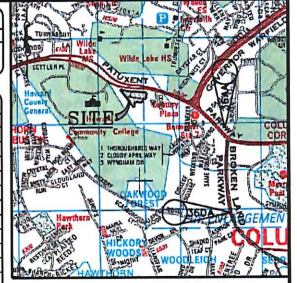
29 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land
30 to be subject to the Easements may have a further public use which the easement will deter and,

1 therefore, that the Easements should not be granted, he is not bound to grant the Easements in
2 accordance with this Resolution.



| NO. | DELTA | TANGENT | ARC | RADIUS | CHORD | CHORD BEARING |
|-----|------------|---------|---------|----------|---------|-----------------|
| C1 | 12° 0' 13" | 130.80' | 260.64' | 1242.37' | 260.17' | S 78° 34' 39" E |
| C2 | 1° 55' 16" | 20.83' | 41.66' | 1242.37' | 41.65' | S 85° 32' 53" E |

| NO. | NORTHING | EASTING |
|-----|-------------|--------------|
| 502 | 563508.5934 | 1347958.229 |
| 600 | 563730.5013 | 1347434.1629 |
| 602 | 563675.7439 | 1347730.7027 |
| 603 | 563655.9870 | 1348054.5267 |
| 604 | 563508.0874 | 1348033.7635 |
| 605 | 563518.4963 | 1347959.6193 |
| 606 | 563421.4479 | 1347945.9950 |
| 607 | 563445.5169 | 1347774.5478 |
| 608 | 563309.1807 | 1347755.4077 |
| 609 | 563548.5934 | 1347670.9178 |
| 610 | 563678.9771 | 1347689.1750 |



VICINITY MAP
LICENSE NO. 2080117
ADC MAP 15, E6
SCALE: 1" = 200'

GENERAL NOTES

- COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE MARYLAND COORDINATE SYSTEM NAD83(2011), AS PROJECTED FROM THE FOLLOWING HOWARD COUNTY GEODETIC CONTROL STATIONS:
 5604 N 560,849.3491 E 1,350,037.4422
 5604 N 562,804.8537 E 1,349,906.1701
- THE SUBJECT PROPERTY IS ZONED N-10/06/13 COMPREHENSIVE ZONING PLAN.
- DRIVEWAYS SHALL BE PROVIDED PRIOR TO ISSUANCE OF A USE AND OCCUPANCY PERMIT FOR ANY NEW STRUCTURES TO ENSURE SAFE ACCESS FOR FIRE EMERGENCY VEHICLES PER THE FOLLOWING MINIMUM REQUIREMENTS:
 A. WIDTH - 12' (16' SERVING MORE THAN ONE RESIDENCE)
 B. SURFACE - 6" OF COMPACTED CRUSHER RUN BASE WITH TAR AND CHIP COATING (1-1 1/2" MIN)
 C. GEOMETRY - MAX. 15% GRADE, MAX. 10' GRADE CHANGE AND MIN. 45' TURNING RADIUS D. STRUCTURE (CULVERTS/BRIDGES) - CAPABLE OF SUPPORTING 25 GROSS TONS (8' LOADING)
 E. DRAINAGE ELEMENTS - SAFELY PASSING 100-YEAR FLOOD WITH NO MORE THAN 1' FOOT DEPTH OVER DRIVEWAY SURFACE
 F. MAINTENANCE SUFFICIENT TO INSURE ALL WEATHER USE
- NO GRADING, REMOVAL OF VEGETATION, COVER OR TREES, PAVING AND NEW STRUCTURES SHALL BE PERMITTED WITHIN THE LIMITS OF WETLANDS, STREAMS, OR THEIR REQUIRED BUFFERS AND FLOODPLAIN.
- DEVELOPER RESERVES UNTO ITSELF ITS SUCCESSORS AND ASSIGNS ALL EASEMENTS SHOWN ON THIS PLAN FOR WATER, SEWER, STORM DRAINAGE, AND OTHER PUBLIC UTILITIES LOCATED IN, ON, OVER AND THROUGH LOTS/PARCELS, ANY CONVEYANCES OF THE AFORESAID LOTS/PARCELS SHALL BE SUBJECT TO THE EASEMENTS HERIN RESERVED, WHETHER OR NOT EXPRESSLY STATED IN THE DEED(S) CONVEYING SAID LOTS(PARCELS). DEVELOPER SHALL EXECUTE AND DELIVER DEEDS FOR THE EASEMENTS HERIN RESERVED TO HOWARD COUNTY. UPON COMPLETION OF THE PUBLIC UTILITIES AND THEIR ACCEPTANCE BY HOWARD COUNTY, THE COUNTY SHALL ACCEPT THE EASEMENTS AND RECORD THE DEED(S) OF EASEMENT IN THE LAND RECORDS OF HOWARD COUNTY.
- THIS PLAN IS BASED ON A FIELD RUN MONUMENTED BOUNDARY SURVEY PERFORMED ON OR ABOUT JUNE 20, 2013, BY KCI TECHNOLOGIES, INC.
- AREAS SHOWN HEREON ARE MORE OR LESS AS TO THE BEST OF OUR KNOWLEDGE AND BELIEF; THERE ARE NO HISTORIC STRUCTURES EXISTING ON THIS SITE.
- THIS PLAN IS IN CONFORMANCE WITH THE AMENDED FIFTH EDITION OF THE HOWARD COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS.
- TO THE BEST OF THE OWNERS KNOWLEDGE, THERE ARE NO BURIAL/CEMETERY LOCATIONS ON SITE.
 11. ● DENOTES ANGULAR CHANGE IN BEARING OR BOUNDARY OR RIGHT-OF-WAY.
 12. ● DENOTES PIPE FOUND.
 13. ● DENOTES PK NAIL FOUND.
- MINIMUM BUILDING SETBACK RESTRICTIONS FROM PROPERTY LINES AND THE PUBLIC RIGHT OF WAY LINE TO BE IN ACCORDANCE WITH FDP-233-A CRITERIA.
- THIS PLAN IS EXEMPT FROM LANDSCAPING AND FOREST CONSERVATION OBLIGATIONS SINCE IT IS A PLAN OF EASEMENT ONLY.
- THERE ARE EXISTING STRUCTURES LOCATED ON LOTS C-1 AND C-2 TO REMAIN.
- STORMWATER MANAGEMENT PRACTICES ARE REQUIRED WITH THE DESIGN MANUALS. PRIOR TO SIGNATURE APPROVAL OF THE FINAL PLAN OR SITE DEVELOPMENT PLAN, THE DEVELOPER WILL BE REQUIRED TO EXECUTE A STORMWATER MANAGEMENT MAINTENANCE AGREEMENT.
- THE PROPERTY IS LOCATED IN THE METROPOLITAN DISTRICT ZONING MAP.
- PLAT SUBJECT TO PRIOR DEPARTMENT OF PLANNING AND ZONING FILES: F-70-036C, F-70-87C, F-74-036C, FDP-84-A, SDP-73-051c AND SDP-78-083c.

LEGEND

- EXISTING PUBLIC DRAINAGE AND UTILITY EASEMENT
- PROPOSED PRIVATE USE-IN-COMMON ACCESS EASEMENT
- PROPOSED PRIVATE USE-IN-COMMON ACCESS EASEMENT TO BE ABOLISHED
- PRIVATE STORMWATER MANAGEMENT FACILITY AND UTILITY EASEMENT
- EXISTING PRIVATE INGRESS & EGRESS EASEMENT
- EXISTING PUBLIC PATHWAY & UTILITY EASEMENT
- EXISTING PUBLIC PATHWAY & UTILITY EASEMENT

AREA TABULATION

| | |
|---|-------------|
| TOTAL NUMBER OF BUILDABLE LOTS TO BE RECORDED | 2 |
| TOTAL NUMBER OF OPEN SPACE LOTS TO BE RECORDED | 0 |
| TOTAL NUMBER OF NON BUILDABLE BULK PARCELS TO BE RECORDED | 0 |
| TOTAL NUMBER OF LOTS AND PARCELS TO BE RECORDED | 2 |
| TOTAL AREA OF BUILDABLE LOTS TO BE RECORDED | 2,6904 AC.± |
| TOTAL AREA OF OPEN SPACE LOTS TO BE RECORDED | 0.0000 AC.± |
| TOTAL AREA OF NON BUILDABLE BULK PARCELS TO BE RECORDED | 0.0000 AC.± |
| TOTAL AREA OF LOTS AND PARCELS TO BE RECORDED | 2,6904 AC.± |
| TOTAL AREA OF ROADWAY TO BE RECORDED | 0.0000 AC.± |
| TOTAL AREA TO BE RECORDED | 2,6904 AC.± |

THE REQUIREMENT OF SECTION 3-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1998 REPLACEMENT VOLUME, (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

PROPERTY OWNERS

- EDWARD W. SIEGERT, L.S. MD 21706
- JAMES M. IRVIN, DIRECTOR
DEPARTMENT OF PUBLIC WORKS, HOWARD COUNTY, MARYLAND
(OWNER OF LOT NO. C-1)
- GEORGE C. PEVERLEY, III AND DANIEL H. REDDING
OWNERS LOT C-2
- LOT C-1
HOWARD COUNTY MARYLAND
3430 COURT HOUSE DRIVE
ELLCOTT CITY, MARYLAND 21044
- LOT C-2
GEORGE C. PEVERLEY III
DANIEL H. REDDING
10735 LITTLE PATUXENT PARKWAY
COLUMBIA, MD 21044

KCI TECHNOLOGIES
1936 ROCKBROOK ROAD
SHILOH, MARYLAND 21152
TELEPHONE: (410) 316-7800
FAX: (410) 316-7818

PURPOSE STATEMENT

THE PURPOSE OF THIS PLAT IS TO SUPERCEDE TOWN CENTER ZONING & AREA 2 LOTS C-1 AND C-2 RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY, MD IN PLAT BOOK 26, FOLIO 47, TO ABOLISH THE EXISTING 30' INGRESS & EGRESS EASEMENT AND ADD A 5' USE-IN-COMMON ACCESS AND STORMWATER MANAGEMENT ACCESS EASEMENT ACROSS LOT C-2, TO ADD USE-IN-COMMON ACCESS, STORMWATER MANAGEMENT ACCESS AND SWM ACCESS AND UTILITY EASEMENTS ACROSS LOT C-1 AND TO REVERSE A PORTION OF THE PREVIOUSLY RECORDED VEHICULAR INGRESS & EGRESS RESTRICTION ALONG LITTLE PATUXENT PARKWAY.

OWNER'S CERTIFICATE

WE, HOWARD COUNTY, MARYLAND, (OWNER LOT C-1), GEORGE C. PEVERLEY, III, AND DANIEL H. REDDING, (OWNERS OF LOT C-2) OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT UNTO HOWARD COUNTY, MARYLAND, ITS SUCCESSORS AND ASSIGNS: 1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND SERVICES, IN AND UNDER ALL ROADS AND STREET RIGHT-OF-WAY AND THE SPECIFIC EASEMENT AREA SHOWN HEREON; 2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE OF THE BEDS OF THE STREETS AND ROADS, AND FLOODPLAINS AND OPEN SPACE WHERE APPLICABLE AND FOR GOOD AND OTHER VALUABLE CONSIDERATION, HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS AND/OR ROADS AND FLOOD PLANS, STORM DRAINAGE FACILITIES AND OPEN SPACE WHERE APPLICABLE; 3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE; AND 4) THAT NO BUILDING OR SEWER STRUCTURE OF ANY KIND SHALL BE ERECTED ON OR OVER THE SAID EASEMENTS AND RIGHT-OF-WAY, WITNESS OUR HANDS THIS ___ DAY OF ___, 2015

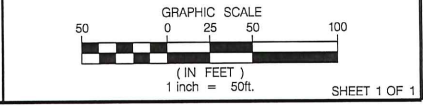
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A RECORD PLAT OF THE LANDS CONVEYED BY LITTLE PATUXENT PARKWAY, LLC, A MARYLAND LIMITED LIABILITY COMPANY TO HOWARD COUNTY, MARYLAND BY DEED DATED OCTOBER 18, 2013 AND RECORDED IN THE LAND RECORDS OF HOWARD COUNTY, MARYLAND IN LIBER NO. 15385 AT FOLIO 00444; AND THE LANDS CONVEYED BY P. R. L.L.C. A MARYLAND LIMITED LIABILITY COMPANY TO GEORGE C. PEVERLEY, III AND DANIEL H. REDDING BY DEED DATED APRIL 2, 2008 AND RECORDED IN THE LAND RECORDS OF HOWARD COUNTY, MARYLAND IN LIBER 1171 AT FOLIO 00250 AND THAT ALL MONUMENTS ARE IN PLACE OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE RECORD PLAT BY HOWARD COUNTY AS SHOWN, IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, REGISTRATION NO. 21706, EXPIRATION DATE JUNE 2, 2017.

RECORDED AS PLAT ON AMONG THE LAND RECORDS OF HOWARD COUNTY, MD.

PLAT OF REVISION OF LOTS C-1 & C-2 (PLAT BOOK 26 PAGE 47)
COLUMBIA TOWN CENTER
SECTION 6, AREA 2
LOTS C-1 AND C-2
TAX MAP 35 GRID 6 PARCEL 275
FIFTH ELECTION DISTRICT HOWARD COUNTY, MD
ZONING: NT/EMPLOYMENT CENTER COMMERCIAL (FDP 84-A)
SCALE: 1"=50'
NOVEMBER 12, 2015



APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING.

CHIEF, DEVELOPMENT ENGINEERING DIVISION DATE

DIRECTOR DATE

JAMES M. IRVIN, DIRECTOR HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS (OWNER LOT C-1)

GEORGE C. PEVERLEY, III AND DANIEL H. REDDING (OWNERS LOT C-2)

EDWARD W. SIEGERT
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 21706

DATE