

County Council Of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 3

Resolution No. 34 -2016

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 convey approximately 2.99 acres of certain real property owned by the County commonly known as Tax Map 34, Parcel 200, Non-Buildable Preservation Parcel E to the Highland Reserve Homeowners' Association, Inc.; and waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code.

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 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 Tax
2 Map 34, Parcel 200, Non-Buildable Preservation Parcel E containing approximately 2.99 acres
3 as acquired from MB Highland Reserve LLC Deed dated September 17, 2014 and recorded in
4 the Land Records of Howard County, Maryland in Liber 15918, folio 156 (the “County
5 Property”), as shown in the attached Exhibit A; and
6

7 **WHEREAS**, the County Property is used for a drainfield for a Shared Sewage Disposal
8 Facility to serve certain lots within the Regan Subdivision; and
9

10 **WHEREAS**, Section 18.1204(c) of the County Code requires a preservation parcel
11 containing a drainfield to be owned in perpetuity by the homeowner’s association serving the
12 residential lots; and
13

14 **WHEREAS**, Highland Reserve Homeowners’ Association, Inc. is the HOA that serves
15 the residential lots and the County Property should have been conveyed to it; and
16

17 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
18 conveyance; and
19

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

25 **WHEREAS**, the County Council has received a request from the County Executive to
26 waive the advertising and bidding requirements in this instance for the conveyance of the County
27 Property to Highland Reserve Homeowners’ Association, Inc. in order to comply with the
28 requirement of the Howard County Code.
29

30 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
31 Maryland, this ____ day of _____, 2016, that the County Property containing

1 approximately 2.99 acres, as shown on the attached Exhibit A, ~~is~~ shall be conveyed to Highland
2 Reserve Homeowners' Association, Inc.

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 property to Highland Reserve Homeowners' Association, Inc.