

County Council Of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 5

Resolution No. 55-2016

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

A RESOLUTION approving, in accordance with Section 4.203 of the Howard County Code, the transfer of approximately 0.737 acres of land owned by the Board of Education and located along Banbury Drive to Kellogg-CCP, LLC in exchange for the acquisition of 0.737 acres of land owned by Kellogg-CCP, LLC.

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

Approved by the County Executive _____, 2016

Allan H. Kittleman, County Executive

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**, the Board of Education of Howard County, Maryland is the fee simple
2 owner of Parcel ‘G’ as set out and shown on the plats entitled “Oxford Square ‘Green
3 Neighborhood’ Resubdivision Plat – Parcels ‘C’ Thru ‘L’ And Open Space Lots 1 And 2 (A
4 Resubdivision of Parcel ‘A’, As Shown On Plats Entitled “Oxford Square, Parcels ‘A’ And ‘B’”
5 And Recorded Among The Land Records Of Howard County, Maryland As Plat Nos. 21757
6 Thru 21761)” which plats are recorded among the Land Records of Howard County, Maryland
7 on Plat WAR Nos. 22390 thru 22395 (the “Plats”) by virtue of the deed from Kellogg-CCP,
8 LLC, dated October 30, 2013 and recorded among the Land Records of Howard County,
9 Maryland in Liber WAR No. 15373, folio 416 (the “Board Property”); and

10
11 **WHEREAS**, Kellogg-CCP, LLC (“Kellogg”) is the fee simple owner of Open Space Lot
12 1, as set out and shown on the Plats by virtue of the deed from Oxford Square Master
13 Association, Inc. dated March 7, 2014 and recorded among the Land Records of Howard County,
14 Maryland in Liber WAR No. 15496, folio 326 (the “Kellogg Property”); and

15
16 **WHEREAS**, the parties have negotiated a land swap for the purpose of enhancing the
17 value and use of their respective parcels; and

18
19 **WHEREAS**, the acreage of the Kellogg Property to be conveyed to the Board is the
20 same acreage as the Board Property to be conveyed to Kellogg, as shown in the attached Exhibit
21 A and Exhibit B; and

22
23 **WHEREAS**, Section 4.203 of the Howard County Code provides that when the Board of
24 Education determines that real property of the Board is no longer needed for educational
25 purposes, but that other property is available which is needed for educational purposes and that
26 the owner is willing to convey the other property to the County for the Board of Education in
27 exchange for the school property, then the parties may exchange the property after the Board of
28 Education has received approval of the property exchange from the State Superintendent of
29 Schools, the interagency committee for school construction (IAC) and any other State agencies
30 which must consent to the property transfer; and

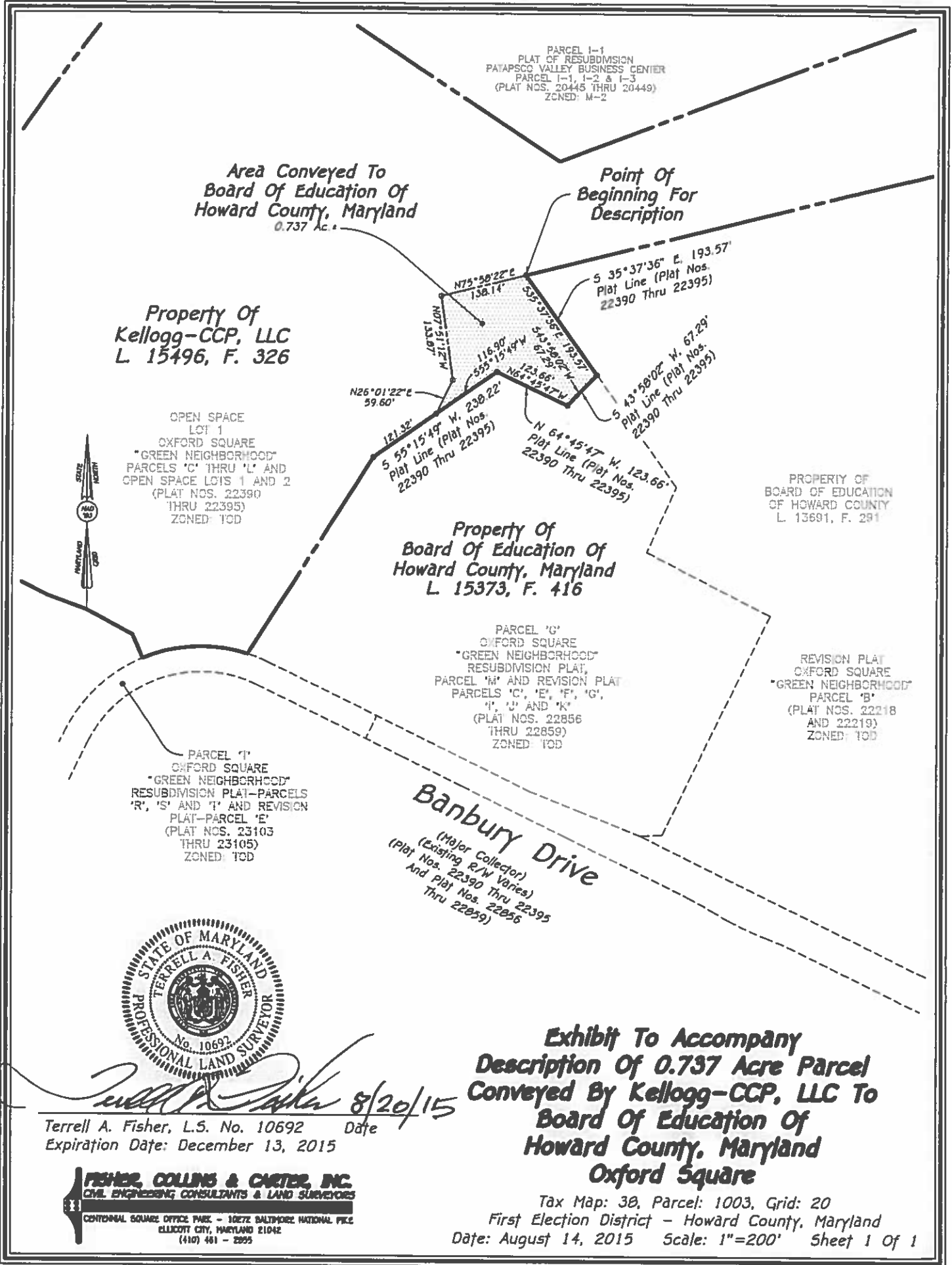
31

1 **WHEREAS**, Section 4.203 further provides that the property transfer may take place
2 provided that the County Executive agrees to the proposed transfer and the County Council
3 approves the transfer by resolution; and
4

5 **WHEREAS**, in accordance with Section 4-115 of the Education Article of the Annotated
6 Code of Maryland, any real property no longer needed for school purposes must be transferred
7 back from the local Board of Education to the County in which the property lies; and
8

9 **WHEREAS**, the County Executive’s signature on this Resolution indicates that he agrees
10 to the proposed transfer.
11

12 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
13 Maryland, this ____ day of _____, 2016, that it approves the proposed
14 exchange of approximately 0.737 acres of land owned by the Board of Education with the same
15 amount of land owned by Kellogg, as shown in the attached Exhibit A and Exhibit B.



Terrell A. Fisher 8/20/15
 Terrell A. Fisher, L.S. No. 10692 Date
 Expiration Date: December 13, 2015

FISHER, COLLINS & CARTER, INC.
 CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
 CONTONAL SQUARE OFFICE PARK - 10272 BALTIMORE NATIONAL PIKE
 ELICOTT CITY, MARYLAND 21042
 (410) 461-2895

Exhibit To Accompany Description Of 0.737 Acre Parcel Conveyed By Kellogg-CCP, LLC To Board Of Education Of Howard County, Maryland Oxford Square

Tax Map: 30, Parcel: 1003, Grid: 20
 First Election District - Howard County, Maryland
 Date: August 14, 2015 Scale: 1"=200' Sheet 1 Of 1

PARCEL I-1
 PLAT OF RESUBDIVISION
 PATAPSCO VALLEY BUSINESS CENTER
 PARCEL I-1, I-2 & I-3
 (PLAT NOS. 20445 THRU 20449)
 ZONED: M-2

Property Of
Kellogg-CCP, LLC
 L. 15496, F. 326

OPEN SPACE
 LOT 1
 OXFORD SQUARE
 "GREEN NEIGHBORHOOD"
 PARCELS 'C' THRU 'L' AND
 OPEN SPACE LOTS 1 AND 2
 (PLAT NOS. 22390
 THRU 22395)
 ZONED: TCD

PROPERTY OF
 BOARD OF EDUCATION
 OF HOWARD COUNTY
 L. 13691, F. 291

REVISION PLAT
 OXFORD SQUARE
 "GREEN NEIGHBORHOOD"
 PARCEL 'B'
 (PLAT NOS. 22218
 AND 22219)
 ZONED: TCD

Property Of
**Board Of Education Of
 Howard County, Maryland**
 L. 15373, F. 416

PARCEL 'G'
 OXFORD SQUARE
 "GREEN NEIGHBORHOOD"
 RESUBDIVISION PLAT,
 PARCEL 'M' AND REVISION PLAT
 PARCELS 'C', 'E', 'F', 'G',
 'I', 'J' AND 'K'
 (PLAT NOS. 22856
 THRU 22859)
 ZONED: TCD

PARCEL 'I'
 OXFORD SQUARE
 "GREEN NEIGHBORHOOD"
 RESUBDIVISION PLAT-PARCELS
 'R', 'S' AND 'I' AND REVISION
 PLAT-PARCEL 'E'
 (PLAT NOS. 23103
 THRU 23105)
 ZONED: TCD

N 32°22'01" E 369.17' Plot Line
 (Plat Nos. 22856 Thru 22859)
 N 55°15'49" E 230.22' Plot Line
 (Plat Nos. 22856 Thru 22859)
 N 55°15'49" E 121.32'
 116.90'
 470.16'
 359.17'
 S 25°01'22" W
 R=240.00'
 L=35.02'
 N 64°00'29" W 65.13'
 397.82'
 N 64°00'29" W 462.95' Plot Line
 (Plat Nos. 22856 Thru 22859)
 R=240.00' L=35.02' Plot Line
 (Plat Nos. 22856 Thru 22859)

Banbury Drive
 (Major Collector)
 (Existing R/W Varies)
 (Plat Nos. 22390 Thru 22395
 And Plat Nos. 22856
 Thru 22859)



Terrell A. Fisher 8/20/15
 Terrell A. Fisher, L.S. No. 10692 Date
 Expiration Date: December 13, 2015

FISHER COLLINS & CARTER, INC.
 CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
 CENTENNIAL SQUARE OFFICE PARK - 10272 BALTIMORE NATIONAL PIKE
 BELLCOTT CITY, MARYLAND 21042
 (410) 481 - 2855

**Exhibit To Accompany
 Description Of 0.737 Acre Parcel
 Conveyed By Board Of Education
 Of Howard County, Maryland To
 Kellogg-CCP, LLC
 Oxford Square**

Tax Map: 3B, Parcel: 1003, Grid: 20
 First Election District - Howard County, Maryland
 Date: August 14, 2015 Scale: 1"=200' Sheet 1 Of 1