

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 May 2, 2016.

By order Jessica Feldmark, Administrator

Read for a second time at a public hearing on May 16, 2016.

By order Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted [checked], Adopted with amendments, Failed, Withdrawn, by the County Council on June 6, 2016.

Certified By Jessica Feldmark, Administrator

Approved by the County Executive June 10, 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

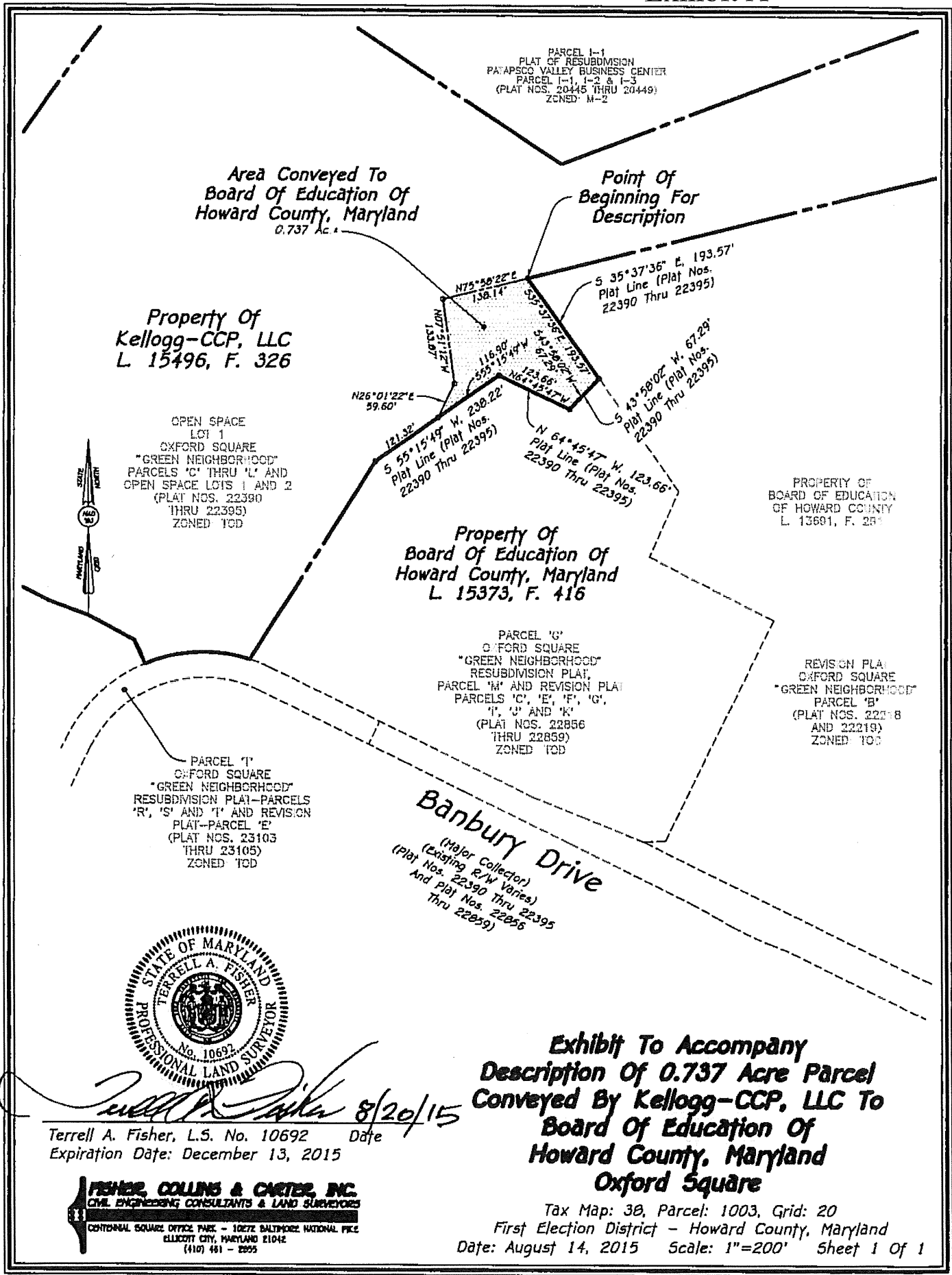
1           **WHEREAS**, Section 4.203 further provides that the property transfer may take place  
2 provided that the County Executive agrees to the proposed transfer and the County Council  
3 approves the transfer by resolution; and  
4

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 6<sup>th</sup> day of June, 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.

Exhibit A



*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  
 ELICOTT CITY, MARYLAND 21042  
 (410) 481-2255

**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

Exhibit B

PARCEL 1-1  
 PLAT OF RESUBDIVISION  
 PATAPSCO VALLEY BUSINESS CENTER  
 PARCEL 1-1, 1-2 & 1-3  
 (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 TOD

Point Of  
 Beginning For  
 Description

Area Conveyed To  
**Kellogg-CCP LLC**  
 0.737 AC.

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

PROPERTY OF  
 BOARD OF EDUCATION  
 OF HOWARD COUNTY  
 L 15691, F. 291

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

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 TOD

PARCEL 'I'  
 OXFORD SQUARE  
 "GREEN NEIGHBORHOOD"  
 RESUBDIVISION PLAT--PARCELS  
 'R', 'S' AND 'T' AND REVISION  
 PLAT--PARCEL 'E'  
 (PLAT NOS. 23103  
 THRU 23105)  
 ZONED: TOD

N 32°22'01" E 369.17' Plot Line  
 (Plot Nos. 22056 Thru 22059)  
 N 55°15'49" E 230.22' Plot Line  
 (Plot Nos. 22056 Thru 22059)  
 116.90'  
 N 55°15'49" E  
 121.32'  
 470.16'  
 369.17'  
 526.01' 22" W  
 R=240.00'  
 L=35.02'  
 N 64°00'29" W  
 63.13'  
 397.02'  
 N 64°00'29" W 462.95' Plot Line  
 (Plot Nos. 22056 Thru 22059)  
 R=240.00', L=35.02' Plot Line  
 (Plot Nos. 22056 Thru 22059)

**Banbury Drive**  
 (Major Collector)  
 (Existing R/W Varies)  
 (Plot Nos. 22390 Thru 22395  
 And Plot Nos. 22056  
 Thru 22059)



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

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 CENTENNIAL SQUARE OFFICE PARK - 10272 BALTIMORE NATIONAL PIKE  
 ELICOTT CITY, MARYLAND 21042  
 (410) 481 - 2095

**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