

# County Council Of Howard County, Maryland

2010 Legislative Session

Legislative Day No. 13

## Resolution No. 137 -2010

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 a permanent access easement to the Baltimore Gas and Electric Company on approximately 0.051 acres of property owned by the County, known as Open Space Lot 33 and located within the subdivision known as Murray Hill; 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 and submits his finding to the County Council for its consideration.

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Introduced and read first time \_\_\_\_\_, 2010.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

Read for a second time at a public hearing on \_\_\_\_\_, 2010.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

This Resolution was read the third time and was Adopted\_\_\_, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn\_\_\_, by the County Council on \_\_\_\_\_, 2011.

Certified By \_\_\_\_\_  
Stephen LeGendre, 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**, Howard County is the owner of certain real property known as Open Space  
2 Lot 33 located within the subdivision known as Murray Hill as acquired by Deed dated October  
3 6, 1981 and recorded among the Land Records of Howard County, Maryland in Liber 1073, folio  
4 197, shown on Tax Map 46, Parcel 21, (the “County Property”); and

5  
6           **WHEREAS**, as part of Baltimore Gas and Electric Company’s (“BGE”) Southern  
7 Reinforcement Pipeline project, in order to maintain BGE’s facilities, BGE is seeking that a  
8 permanent access easement (the “Easement”) containing 0.051 acres be granted to BGE, as  
9 shown in the attached Exhibit A; and

10  
11           **WHEREAS**, the Department of Public Works has reviewed and approved the proposed  
12 Easement; and

13  
14           **WHEREAS**, Section 4.201, “Disposition of Real Property”, of the Howard County Code  
15 authorizes the County Council to declare that property is no longer needed for public purposes  
16 and also authorizes the County Council to waive advertising and bidding requirements for an  
17 individual conveyance of real property upon the request of the County Executive; and

18  
19           **WHEREAS**, the County Council has received a request from the County Executive to  
20 waive the advertising and bidding requirements in this instance for the grant of the Easement to  
21 BGE.

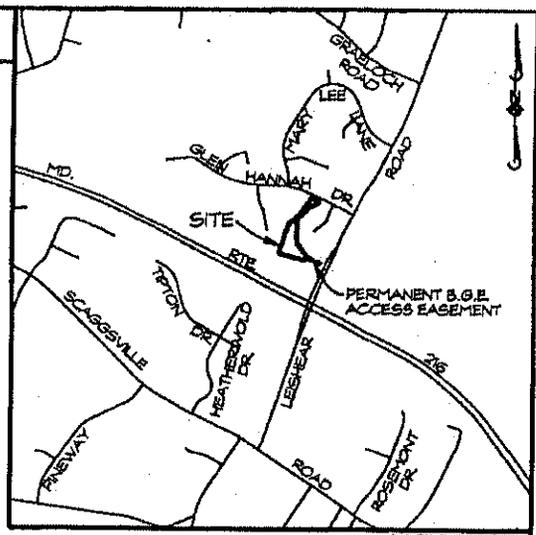
22  
23           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
24 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2011, that a public purpose is served by  
25 granting the Easement comprising 0.051 acres to BGE, as shown in the attached Exhibit A.

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

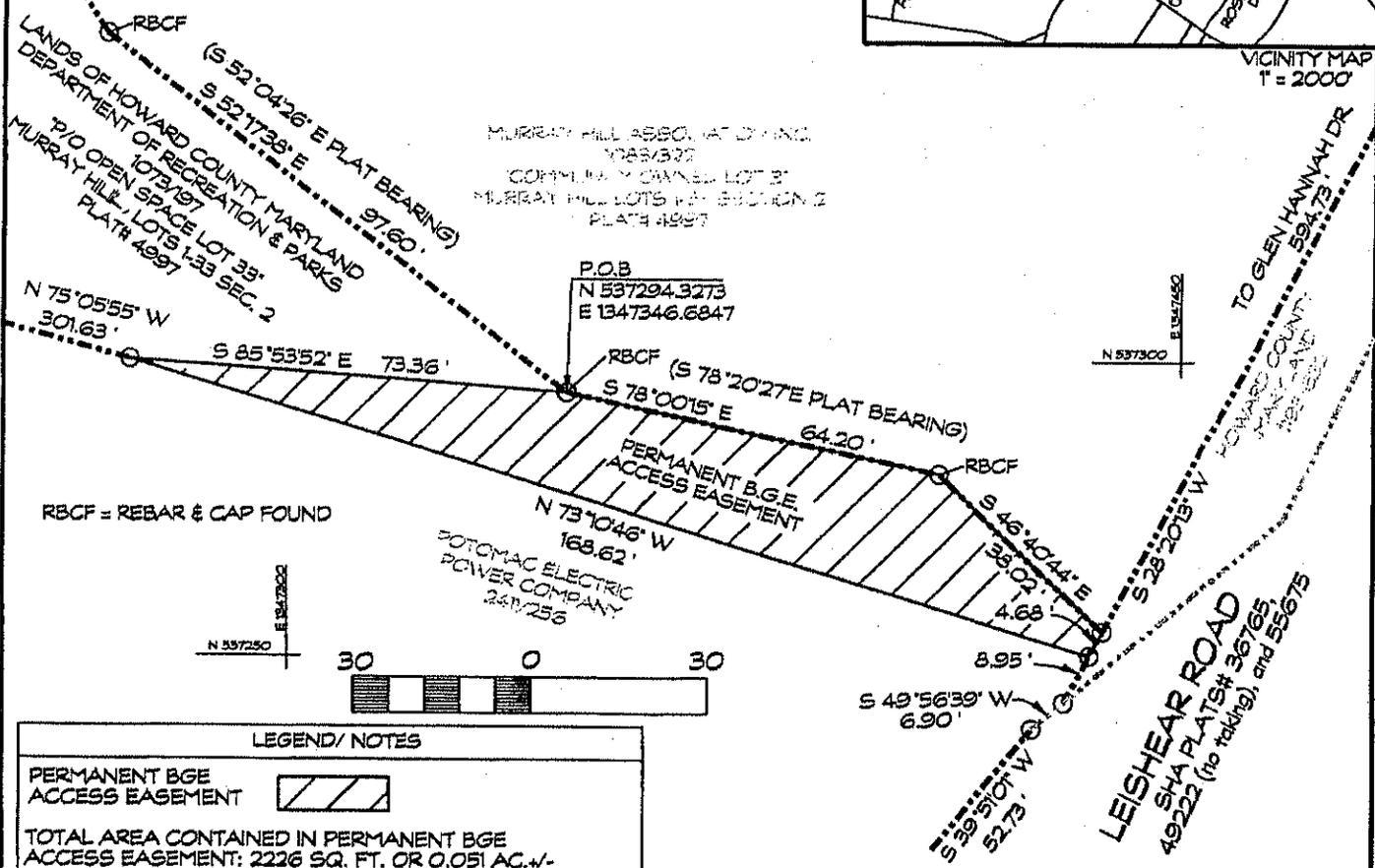
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2  
3  
4  
5

**AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land to be subject to the Easement may have a further public use and that the Easement should not be granted, he may submit his findings and recommendations to the County Council for its consideration without being bound to grant the Easement in accordance with this Resolution.

EXHIBIT A



VICINITY MAP  
1" = 2000'



MURRAY HILL ASSOCIATION  
1088/372  
COMMUNITY OWNED LOT 3  
MURRAY HILL LOTS 1-33 SECTION 2  
PLAT# 4997

P.O.B.  
N 537294.3273  
E 1347346.6847

RBCF = REBAR & CAP FOUND

POTOMAC ELECTRIC  
POWER COMPANY  
241/255

**LEGEND/ NOTES**

PERMANENT BGE ACCESS EASEMENT

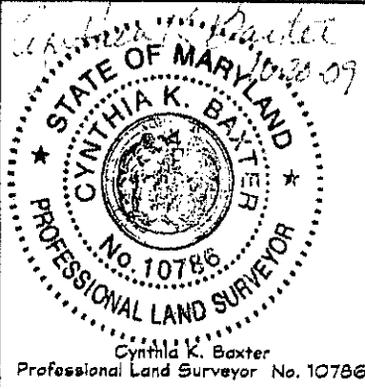
TOTAL AREA CONTAINED IN PERMANENT BGE ACCESS EASEMENT: 2226 SQ. FT. OR 0.051 AC. +/-

COORDINATES AND BEARINGS SHOWN HEREON ARE BASED UPON THE STATE OF MARYLAND STATE PLANE COORDINATE SYSTEM (NAD 83).

This easement plat and the work reflected in it were prepared by me or under my responsible charge, and comply with the requirements set forth in the Maryland Minimum Standards for Professional Land Surveyors (COMAR 09-13-06, .09, & .12)



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Cynthia K. Baxter  
Professional Land Surveyor No. 10786



BALTIMORE GAS AND ELECTRIC COMPANY  
PROJECT and PROGRAM MANAGEMENT

RBC COMPLEX  
2900 LORD BALTIMORE DRIVE  
BALTIMORE, MARYLAND 21074

**SOUTHERN REINFORCEMENT PIPELINE**

PLAN SHOWING PERMANENT ACCESS EASEMENT ACROSS PROPERTY OF HOWARD COUNTY MARYLAND DEPARTMENT OF RECREATION & PARKS 1073/197 MURRAY HILL, LOTS 1-33 'P/O OPEN SPACE LOT 33' PLAT# 4997  
5TH ELECTION DISTRICT HOWARD COUNTY, MARYLAND  
SCALE: 1" = 30' DATE: 10/20/09