

County Council of Howard County, Maryland

2011 Legislative Session

Legislative day # 8

RESOLUTION NO. 113 - 2011

Introduced by: The Chairperson at the request of Emerson Development LLCs

A RESOLUTION to close a portion of Whiskey Bottom Road, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code; and providing that the costs of the closing will be paid by one or more developers.

Introduced and read first time on _____, 2011.

By order _____
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2011.

By order _____
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted __, Adopted with amendments __, Failed __, Withdrawn __ by the County Council on _____, 2011.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

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

1 **WHEREAS**, Section 18.204 of the Howard County Code provides for the closure of an
2 existing county road by adoption of a County Council Resolution; and

3 **WHEREAS**, Emerson Development II LLC, Emerson Development III LLC, Emerson
4 Development IV LLC, Emerson Development V LLC, Emerson Development VI LLC and
5 Emerson Development VII LLC (“Emerson Development LLCs”) have petitioned the Howard
6 County Council in accordance with Section 18.204; and

7 **WHEREAS**, The portion of Whiskey Bottom Road to be closed is more particularly
8 described in Exhibit A and shown on the attached plat identified as Exhibit B; and

9 **WHEREAS**, Howard County, Maryland, acquired a prescriptive right of way for
10 Whiskey Bottom Road west of Sterling Drive by a Resolution of the Board of County
11 Commissioners of Howard County, enacted on October 31, 1961; and

12 **WHEREAS**, A portion of Whiskey Bottom Road must be closed to accommodate the
13 security requirements for additional development on the adjacent property owned by Emerson
14 Developments LLC; and

15 **WHEREAS**, There are no connecting streets along the portion of Whiskey Bottom Road
16 that is proposed to be closed; and

17 **WHEREAS**, The Departments of Public Works, Planning and Zoning, Police, and Fire
18 and Rescue Services have each reviewed the proposal to close this portion of Whiskey Bottom
19 Road and each has determined the closure will not affect public safety, the traffic network, or
20 public convenience; and

21 **WHEREAS**, Either Howard County or one of the Emerson Development LLCs will own
22 all of the land adjacent to the proposed closed portion of Whiskey Bottom Road; and

1 **WHEREAS**, Notice of the proposed closing and abandoning of Whiskey Bottom Road
2 has been posted and advertised and the adjoining property owners have been notified; and

3 **WHEREAS**, One of the Emerson Development LLCs, at its cost and expense, will cause
4 the closure of a portion of Whiskey Bottom Road, as described and shown in Exhibits A and B,
5 in accordance with all applicable Howard County standards and specifications.

6 **NOW, THEREFORE, BE IT RESOLVED** By the County Council of Howard County,
7 Maryland this _____ day of _____, 2011 that, in accordance with Section 18.204 of
8 the Howard County Code, the closure of a portion of Whiskey Bottom Road as shown on
9 Exhibits A and B will not adversely affect public safety, the traffic network, or public
10 convenience.

11 **BE IT FURTHER RESOLVED**, That a portion of Whiskey Bottom Road, described
12 and shown in Exhibits A and B, is no longer needed as a public road and shall be closed.

13 **BE IT FURTHER RESOLVED**, That one of the Emerson Development LLCs shall
14 bear all of the costs and expenses associated with closure of a portion of Whiskey Bottom Road.



DAFT MCCUNE WALKER INC

Description

1.873 Acre Parcel

A Portion of Whiskey Bottom Road

To Be Closed

6th Election District

Howard County, Maryland

Beginning for the same at a point being known and designated as Point No. 3283 as laid out and shown on a plat dated March 3, 2003, entitled "Emerson Section 3, Parcels A through C and Open Space Parcels D through I" and recorded among the Land Records of Howard County, Maryland, as Plat No. 15830; thence leaving said point of beginning and running with and binding reversely on the northern right-of-way line of Whiskey Bottom Road as laid out on the aforementioned plat, referring all courses of this description to the Grid Meridian established in the Maryland Coordinate System (NAD 83/1991), (1) South 76 degrees 12 minutes 53 seconds East 642.12 feet to a point being known and designated as No. 3279 as laid out and shown on a plat dated March 3, 2003, entitled "Emerson Section 3, Area 1 Parcels A through C and Open Space Parcels D through I and recorded among the Land Records of Howard County, Maryland, as Plat No. 15829, thence leaving said point and continuing with the northern right-of-way line of Whiskey Bottom Road (2) South 13 degrees 47 minutes 07 seconds West 19.05 feet, thence Southeasterly by a line curving to the left having a radius of 2844.79 feet, for a distance of 751.11 feet (the arc of said curve being subtended by a chord bearing South 84 degrees 49 minutes 55 seconds East 748.93 feet) to a point No. RW 28 as shown on said plat, thence leaving said Whiskey Bottom Road right-of-way line and running with the prolongation of Curve No. 202 as laid

out on said plat (3) Southeasterly by a line curving the left having a radius of 630.00 feet, for a distance of 39.45 feet (the arc of said curve being subtended by a chord bearing South 41 degrees 57 minutes 06 seconds East 39.45 feet) to a point at the distance of 12.51 feet from the beginning of the South 43 degrees 44 minutes 45 seconds East 87.14 foot line of a parcel of land known and designated as Parcel M as laid out and shown on a plat dated January 27, 2003, entitled "Revitz Property" and recorded among the aforesaid land records as Plat No. 15787, thence (4) South 43 degrees 44 minutes 45 seconds East 12.51 feet to Point No. RW 6 as laid out and shown on the last hereinmentioned plat, thence leaving said point and running with and binding on the southern right-of-way line of Whiskey Bottom Road the following three courses: (5) Northwesterly by a line curving to the right having a radius of 2884.79 feet, for a distance of 795.79 feet (the arc of said curve being subtended by a chord bearing North 85 degrees 09 minutes 22 seconds West 793.27 feet), thence (6) South 13 degrees 47 minutes 07 seconds West 20.94 feet, thence (7) North 76 degrees 12 minutes 53 seconds West 624.53 feet to a point being known and designated as 3286 as laid out and shown on the first hereinmentioned plat, thence (8) North 01 degrees 23 minutes 00 seconds East 81.91 feet, to the point of beginning; containing 81,589 square feet or 1.873 acres of land, more or less, as now described by Daft-McCune-Walker, Inc. in May 2011.

May 19, 2011

Project No. 95054.4S (L95054.4S)



Michael D. Martin 6-7-11

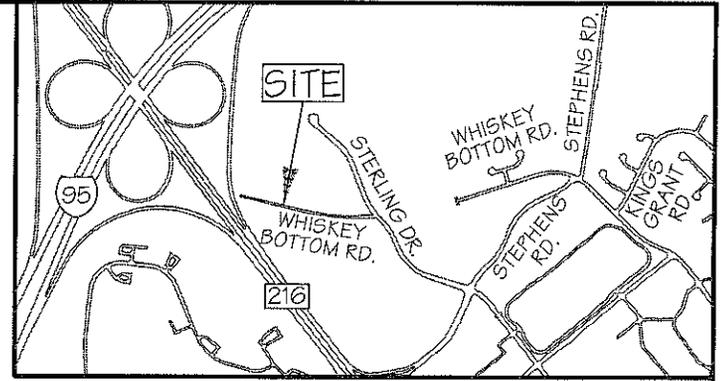
PARCEL E
HOWARD COUNTY
DEPARTMENT OF
RECREATION AND PARKS
DEED 7679 / 548
PLAT NO. 15830
9.348.401 AC.±

PARCEL B
EMERSON DEVELOPMENT V LLC
DEED 11479 / 17
PLAT NO. 15829
6.401 AC.±

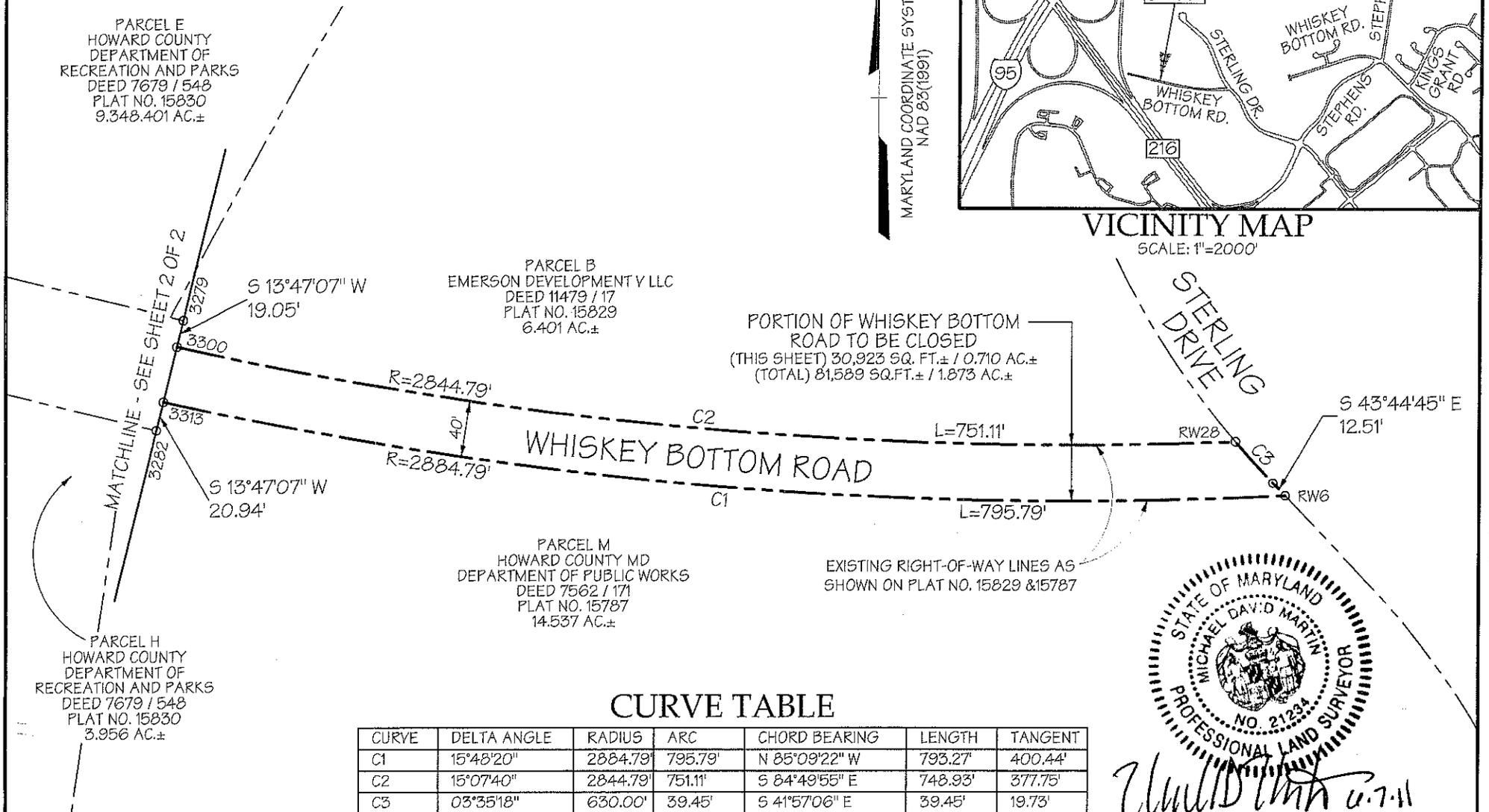
PARCEL M
HOWARD COUNTY MD
DEPARTMENT OF PUBLIC WORKS
DEED 7562 / 171
PLAT NO. 15787
14.537 AC.±

PARCEL H
HOWARD COUNTY
DEPARTMENT OF
RECREATION AND PARKS
DEED 7679 / 548
PLAT NO. 15830
3.956 AC.±

MARYLAND COORDINATE SYSTEM
NAD 83(1991)



VICINITY MAP
SCALE: 1"=2000'



CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC	CHORD BEARING	LENGTH	TANGENT
C1	15°48'20"	2884.79'	795.79'	N 85°09'22" W	793.27'	400.44'
C2	15°07'40"	2884.79'	751.11'	S 84°49'55" E	748.93'	377.75'
C3	03°35'18"	630.00'	39.45'	S 41°57'06" E	39.45'	19.73'



Michael D. Martin 05-7-11

Exhibit "D"

EXHIBIT PLAT
SHOWING CLOSING OF A PORTION OF
WHISKEY BOTTOM ROAD

6TH ELECTION DISTRICT

HOWARD COUNTY, MARYLAND

DMW

DAFT MCCUNE WALKER INC

200 EAST PENNSYLVANIA TOWSON, MD 21286
P: 410 298 3333 F: 410 298 4705 WWW.DMW.COM

A TEAM OF LAND PLANNERS, LANDSCAPE ARCHITECTS,
ENGINEERS, SURVEYORS & ENVIRONMENTAL PROFESSIONALS

Field Crew: Scale: 1"=100' Date: 05-17-2011
Drawn by: R.C. Checked by: M.D.M. Job No.: 95054.45

MD ROUTE 216 RAMP

PARCEL E
HOWARD COUNTY
DEPARTMENT OF
RECREATION AND PARKS
DEED 7679 / 548
PLAT NO. 15830
9.348.401 AC.±

POINT OF
BEGINNING

N 01°23'00" E
81.91'

3283

3286

80'

S 76°12'53" E 642.12'

PORTION OF WHISKEY BOTTOM
ROAD TO BE CLOSED
(THIS SHEET) 50,666 SQ.FT.± / 1.163 AC.±
(TOTAL) 81,589 SQ.FT.± / 1.873 AC.±

WHISKEY BOTTOM ROAD

PARCEL I
HOWARD COUNTY
DEPARTMENT OF
RECREATION AND PARKS
DEED 7679 / 548
PLAT NO. 15830
0.632 AC.±

N 76°12'53" W 624.53'

EXISTING RIGHT-OF-WAY LINES AS
SHOWN ON PLAT NO. 15829 & 15787

STATE OF MARYLAND
SHA PLAT NO. 37384

PARCEL H
HOWARD COUNTY
DEPARTMENT OF
RECREATION AND PARKS
DEED 7679 / 548
PLAT NO. 15830
3.956 AC.±

3279

3282

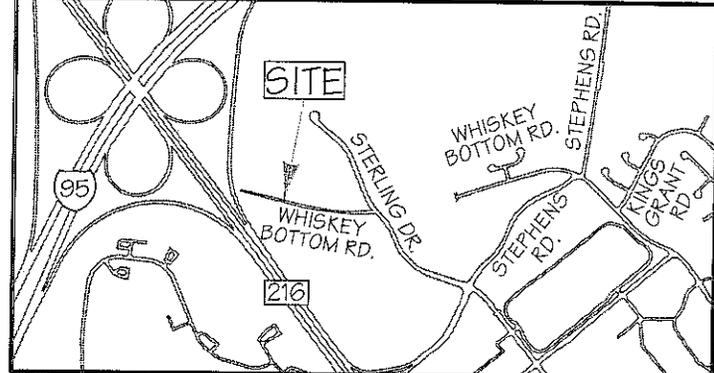
80.00'
S 13°47'07" W

MATCHLINE - SEE SHEET 1 OF 2

PARCEL B
EMERSON DEVELOPMENT V LLC
DEED 11479 / 17
PLAT NO. 15829
6.401 AC.±

PARCEL M
HOWARD COUNTY MD
DEPARTMENT OF PUBLIC WORKS
DEED 7562 / 171
PLAT NO. 15787
14.537 AC.±

2 OF 2



VICINITY MAP

SCALE: 1"=2000'

MARYLAND COORDINATE SYSTEM
NAD 83(1991)



Michael David Martin 6-7-11

EXHIBIT PLAT
SHOWING CLOSING OF A PORTION OF
WHISKEY BOTTOM ROAD

6TH ELECTION DISTRICT

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