

County Council Of Howard County, Maryland

2010 Legislative Session

Legislative Day No. 7

Resolution No. 90-2010

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 certain easements on approximately 0.739 acres of property owned by the County located on Maryland Route 99 at the Alpha Ridge Landfill to the Maryland State Highway Administration; 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 easements if he finds that the land may have a further public use and submits his finding to the County Council for its consideration.

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 _____, 2010.

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 located on Maryland
2 Route 99 at the Alpha Ridge Landfill as acquired by Deed dated July 7, 1978 and recorded
3 among the Land Records of Howard County, Maryland at liber 891, folio 314, shown on Tax
4 Map 10, Parcel 54, (the “County Property”); and
5

6 **WHEREAS**, as part of the Waverly Overlook subdivision project (F-10-027), road
7 improvements are to be constructed by the developer of the Waverly Overlook subdivision; and
8

9 **WHEREAS**, in order to approve the construction of the road improvements, the
10 Maryland State Highway Administration (“SHA”) is requiring that the following easements
11 along Maryland Route 99 (collectively, the “Easements”), totaling approximately 0.739 acres, be
12 granted to SHA:

- 13 1. 0.291 Acres for an Easement for Construction and Perpetual Maintenance of Road
14 Improvements and Utilities;
- 15 2. 0.394 Acres for a Perpetual Easement for Grading and Maintenance of Slopes and
16 Utilities; and
- 17 3. 0.054 Acres for a Perpetual Easement for Construction and Maintenance of Storm Drains
18 and Utilities; and
19

20 **WHEREAS**, the general vicinity of the Easements is shown on the attached Exhibit A
21 and a more detailed diagram is attached as Exhibit B; and
22

23 **WHEREAS**, the Department of Public Works has reviewed and approved the proposed
24 Easements; and
25

26 **WHEREAS**, Section 4.201 “Disposition of Real Property” of the Howard County Code
27 authorizes the County Council to declare that property is no longer needed for public purposes
28 and also authorizes the County Council to waive advertising and bidding requirements for an
29 individual conveyance of an easement upon the request of the County Executive; and
30

1 **WHEREAS**, the County Council has received a request from the County Executive to
2 waive the advertising and bidding requirements in this instance for the grant of the Easements to
3 the SHA.

4
5 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
6 Maryland, this ____ day of _____, 2010, that a public purpose is served by
7 granting the following Easements, as shown in the attached Exhibit B, to the Maryland State
8 Highway Administration:

- 9 1. 0.291 Acres for an Easement for Construction and Perpetual Maintenance of Road
10 Improvements and Utilities;
- 11 2. 0.394 Acres for a Perpetual Easement for Grading and Maintenance of Slopes and
12 Utilities; and
- 13 3. 0.054 Acres for a Perpetual Easement for Construction and Maintenance of Storm
14 Drains and Utilities.

15
16 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
17 Executive and having held a public hearing, the County Council declares that the best interest of
18 the County will be served by authorizing the County Executive to waive the usual advertising
19 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of
20 the Easements to the Maryland State Highway Administration.

21
22 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the land
23 to be subject to the Easements may have a further public use and that the Easements should not
24 be granted, he may submit his findings and recommendations to the County Council for its
25 consideration without being bound to grant the easements in accordance with this Resolution.

-76°54'33"



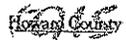
39°18'9"



39°18'9"

Disclaimer: Howard County, Maryland assumes no responsibility for the accuracy of this report or the information contained herein or derived therefrom. The user assumes all risks and liabilities whatsoever resulting from or arising out of the use of this information. There are no oral agreements or warranties relating to the use of this report.

-76°54'33"



Howard County
M A R Y L A N D

By:
Office:
Map Width: 5,279.90 ft.
Print Date: 5/11/2010

