

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2007, Legislative Day No. 2

Bill No. 4-07

Introduced by Mr. Reilly

By the County Council, January 16, 2007

Introduced and first read on January 16, 2007
Public Hearing set for and held on February 5, 2007
Public Hearing on AMENDED BILL set for March 5, 2007
Bill Expires April 21, 2007

By Order: Judy C. Holmes, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Village at Lee Airport

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3 FOR the purpose of authorizing the County Executive, to the extent such authorization
4 may be required, to acquire certain property from the State Highway Administration
5 for the sole purpose of transferring that property to Mary and Harvey Lee, their
6 successors or assigns, in exchange for the transfer of other property to the County by
7 Mary and Harvey Lee, their successors or assigns.

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9 WHEREAS, in 2001, in connection with improvements to Maryland Route 2
10 (Solomons Island Road) in Edgewater, the State Highway Administration began
11 construction on a service road to provide better access to the improved Maryland
12 Route 2 from Maryland Avenue in Edgewater and also began construction on a
13 stormwater management pond to manage stormwater runoff from Maryland Route
14 2 (“State Service Road and SWM Pond”); and

15
16 WHEREAS, the State Service Road and SWM Pond bisect a portion of the parcel
17 of property northeast of the intersection of Maryland Route 2 and Maryland
18 Avenue, located at Tax Map 55, Block 12, Parcel 124 in the 1st Assessment
19 District of Anne Arundel County, owned by Mary and Harvey Lee, which the
20 Lees have leased or will lease to Regency Realty Group, Inc. (“Regency”) for
21 development (“the Lee/Regency Property”); and

EXPLANATION: Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 WHEREAS, the Lees and Regency have proposed to construct a new service road
2 and stormwater management pond on the Lee/Regency Property (“New Service
3 Road and SWM Pond”) and to relocate the State Service Road and SWM Pond to
4 a different location on the Lee/Regency Property so that the Lee/Regency
5 Property is no longer bisected by the State Service Road; and

6
7 WHEREAS, the Lees and Regency have pending for approval with the Office of
8 Planning and Zoning a subdivision, Subdivision #2005-066, Village at Lee
9 Airport (“the Subdivision”), with a proposed record plat that depicts the State
10 Service Road and SWM Pond and the proposed configuration of the New Service
11 Road and SWM Pond (“the Plat”); and

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13 WHEREAS, the State Highway Administration has indicated its willingness to
14 enter into an agreement with the County to transfer the State Service Road and
15 SWM Pond to the County as authorized by the provisions of the Transportation
16 Article, §8-304(a) of the Annotated Code in order to facilitate the relocation of the
17 State Service Road and SWM Pond as shown on the Plat; and

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19 WHEREAS, the Lees have proposed to transfer to the County the New Service
20 Road and the New SWM Pond in exchange for the transfer of the State Service
21 Road and SWM Pond; and

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23 WHEREAS, Section 13-2-102 of the Anne Arundel County Code (2005, as
24 amended) authorizes the Director of Public Works to acquire property for the
25 County, including the acquisition of property by exchange; and

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27 WHEREAS, the County Council has determined that it is in the public interest
28 and will serve a public purpose for the County to acquire the said State Service
29 Road and SWM Pond ~~from the Lees, their successors or assigns~~, for the sole
30 purpose of transferring that property to the Lees, their successors or assigns, in
31 exchange for the transfer of the New Service Road and the New SWM Pond to
32 the County; now, therefore,

33
34 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
35 *Maryland,* That if the State Highway Administration transfers the State Service Road and
36 SWM Pond to the County pursuant to the provisions of the Transportation Article, §8-
37 304(a) of the Annotated Code, the County Executive is authorized, to the extent such
38 authorization is required, to transfer the State Service Road and SWM Pond to the Lees,
39 their successors or assigns, in exchange for the transfer by the Lees, their successors or
40 assigns, of the New Service Road and the New SWM Pond to be constructed in
41 connection with the Subdivision, all as generally depicted on the Plat, to the County
42 according to such terms and conditions as shall be determined by the County Executive.

43
44 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
45 from the date it becomes law.