

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 20

Resolution No. 53-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, November 20, 2023

1 RESOLUTION relating to the condemnation proceedings to acquire real properties
2 located in Gambrills, Maryland, for the purpose of the Towsers Branch Stream Restoration
3 Project and matters relating generally thereto

4
5 WHEREAS, the acquisition of certain real properties comprised of 0.159 acres +/-
6 (“Lavender Parcel”) and 0.364 acres +/- (“Chaney Parcel”), described in Exhibits
7 A and B, respectively, and both shown on Exhibit C (the Lavender Parcel and
8 Chaney Parcel are collectively, the “Property”), each attached hereto, have been
9 necessitated by Capital Project No. B556700, that was first approved by a budget
10 ordinance of the County Council for Fiscal Year 2020; and

11
12 WHEREAS, all owners are deceased, and the Department of Public Works has been
13 unable to purchase the Property from the personal representatives and heirs of their
14 estates; and

15
16 WHEREAS, pursuant to § ~~8-3-201(e)(2)~~ 8-3-101(c)(2) of the County Code, the
17 property may be acquired by condemnation after the County Council identifies the
18 property and determines and declares that the acquisition is necessary for a public
19 purpose; now, therefore, be it

20
21 *Resolved by the County Council of Anne Arundel County, Maryland,* That it is
22 necessary for a public purpose, which purpose is for right-of-way acquisition and
23 construction of stream restoration in a highly eroded stream channel originating from the
24 culvert under Maryland Route 3, near Evergreen Road, in the Little Patuxent River
25 Watershed, that Anne Arundel County, Maryland acquire the Property in fee simple located
26 in the Fourth Assessment District of Anne Arundel County, which is more particularly
27 described as follows:

28
29 All those parcels of land located in Gambrills, Maryland, as described in Exhibits
30 A and B, and shown on Exhibit C, each attached hereto;

31
32 and be it further

33
34 *Resolved,* That a copy of this Resolution be sent to County Executive Stuart Pittman.

EXPLANATION:

Underlining indicates amendments to the resolution.

~~Strikeover~~ indicates matter stricken from the resolution by amendment.

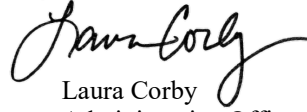
Resolution No. 53-23

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AMENDMENT ADOPTED: December 18, 2023

READ AND PASSED this 18th day of December, 2023.

By Order:



Laura Corby
Administrative Officer

I HEREBY CERTIFY THAT RESOLUTION NO. 53-23, AS AMENDED, IS TRUE AND CORRECT AND DULY ADOPTED BY THE COUNTY COUNCIL OF ANNE ARUNDEL COUNTY.



Allison M. Pickard
Chair

AZIMUTH AND ROOD, LLC

Resolution No. 53-23

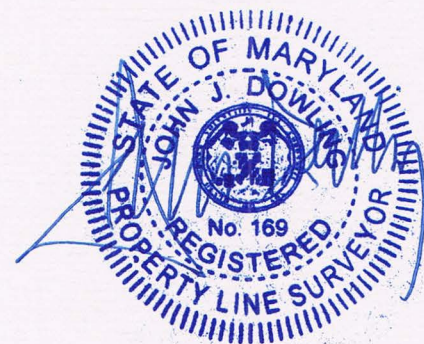
Exhibit A

Land Surveyors
115 Cathedral Street
Annapolis, Maryland 21401
Phone: 410.267.0017

Description of 6,909.578 Square feet, Lavender property, Gambrills, Maryland 21054, 4th Assessment District, Anne Arundel County, Maryland

Beginning for the same at a capped iron bar found on the west side of the Southbound Lane of Maryland Route 3, as shown on SRC/SHA plat # 16267, at the southeast corner of the SINCALTOM ASSOCIATES property describe in deed 3958-897; thence leaving said beginning point so fixed and running with the SINCALTOM ASSOCIATES property with a bearing based on the Greenhorne & O'Mara, Inc. Survey of said property, North $40^{\circ} 19' 21''$ West 184.26 feet to a rebar set and capped in 2012; thence leaving said parcel conveyed to SINCALTOM ASSOCIATES by deed 3958-897 and running with part of the third line of the conveyance from Raymond E. Draper and wife to William G. Williams and wife by deed dated 01-30-1936 and recorded among the land Records of Anne Arundel County in Liber FAM 149 folio 50 and reversely with the first line of the conveyance from William G. Williams and wife to Ida M. Chaney by deed dated 07-11-1939 and recorded among the land Records of Anne Arundel County in Liber 207 folio 3, South $62^{\circ} 26' 28''$ East 199.19 feet to intersect the aforementioned west side of the Southbound Lane of Maryland Route 3; thence running with said west side of the Southbound Lane of Maryland Route 3, South $49^{\circ} 53' 17''$ West 75.00 feet to the point of beginning. Containing 6,909.578 square feet, according to a description by John J. Dowling, Maryland Property Line Surveyor No. 169, based on my 2012 survey of the SINCALTOM ASSOCIATES properties. My license expires or comes up for renewal on 05-09-2024.

Lavender.Md.Rt.3.Rev.m&b.wpd



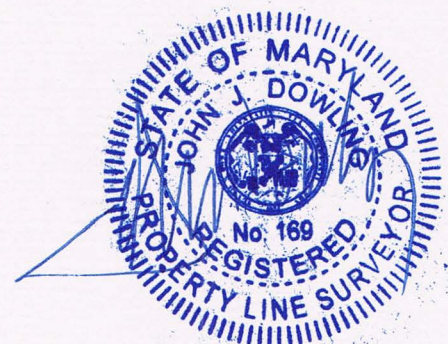
AZIMUTH AND ROOD, LLC

Land Surveyors
115 Cathedral Street
Annapolis, Maryland 21401
Phone: 410.267.0017

Resolution No. 75-23
Exhibit B

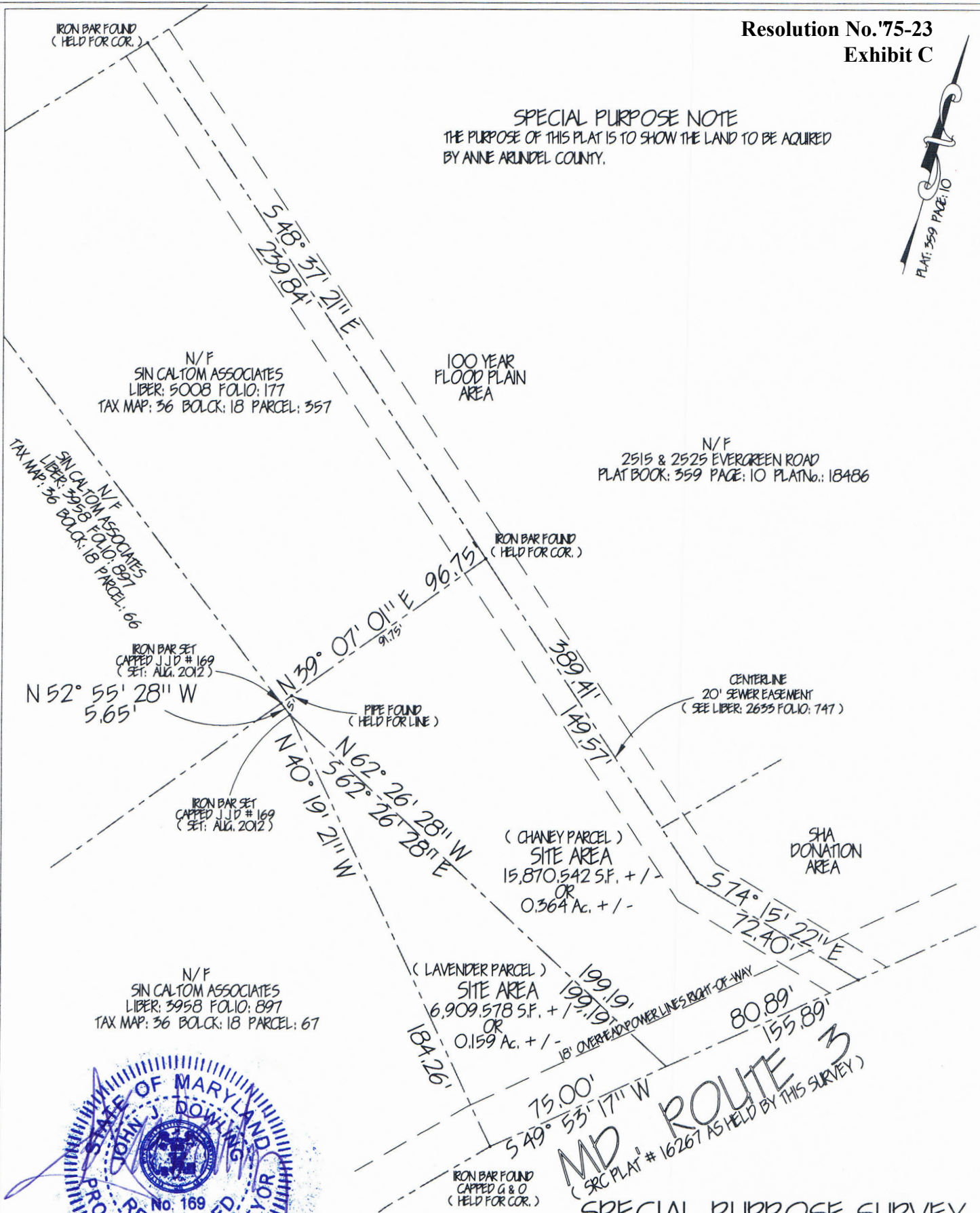
Description of 15,870.542 Square feet, Chaney property, Gambrills, Maryland 21054, 4th Assessment District, Anne Arundel County, Maryland

Beginning for the same at an iron bar set and capped in 2012 on the east outline of the SINCALTOM ASSOCIATES property described in deed 3958-897, being North $40^{\circ} 19' 21''$ West 184.26 feet from a capped iron bar found on the west side of the Southbound Lane of Maryland Route 3, as shown on SRC/SHA plat # 16267, at the southeast corner of said SINCALTOM ASSOCIATES property; thence leaving said beginning point so fixed and running with the SINCALTOM ASSOCIATES property with a bearing based on the Greenhorne & O'Mara, Inc. Survey of said property, North $52^{\circ} 55' 28''$ West 5.65 feet to a rebar set and capped in 2012; thence leaving said parcel conveyed to SINCALTOM ASSOCIATES by deed 3958-897 and running with the conveyance to SINCALTOM ASSOCIATES described in deed 5008-177, North $39^{\circ} 07' 01''$ East 96.75 feet to an iron bar found in the west outline of the 100 Year Flood plain as shown on the Minor Subdivision Plat, 2515 & 2525 Evergreen Road, filed among the plat records of Anne Arundel County in Plat Book 359 page 10 as plat # 18486; thence leaving said SINCALTOM ASSOCIATES property and running with said subdivision plat and the centerline of a 20 foot sewer easement described in deed 2633-747, South $48^{\circ} 37' 21''$ East 149.57 feet and S $74^{\circ} 15' 22''$ East 72.40 feet to intersect the aforementioned west side of the Southbound Lane of Maryland Route 3; thence leaving said 2515 & 2525 Evergreen Road property and running with said west side of the Southbound Lane of Maryland Route 3, South $49^{\circ} 53' 17''$ West 80.89 feet; thence leaving said Maryland Route 3 and running reversely with part of the third line of the conveyance from Raymond E. Draper and wife to William G. Williams and wife by deed dated 01-30-1936 and recorded among the land Records of Anne Arundel County in Liber FAM 149 folio 50 and with part of the first line of the conveyance from William G. Williams and wife to Ida M. Chaney by deed dated 07-11-1939 and recorded among the land Records of Anne Arundel County in Liber 207 folio 3, North $62^{\circ} 26' 28''$ West 199.19 feet to the point of beginning. Containing 15,870.542 square feet, according to a description by John J. Dowling, Maryland Property Line Surveyor No. 169, based on my 2012 survey of the SINCALTOM ASSOCIATES properties. My license expires or comes up for renewal on 05-09-2024.





SPECIAL PURPOSE NOTE
THE PURPOSE OF THIS PLAT IS TO SHOW THE LAND TO BE ACQUIRED BY ANNE ARUNDEL COUNTY.



IRON BAR FOUND
(HELD FOR COR.)

N/F
SIN CAL TOM ASSOCIATES
LIBER: 5008 FOLIO: 177
TAX MAP: 36 BOLCK: 18 PARCEL: 357

100 YEAR
FLOOD PLAIN
AREA

N/F
2515 & 2525 EVERGREEN ROAD
PLAT BOOK: 359 PAGE: 10 PLAT No.: 18486

N/F
SIN CAL TOM ASSOCIATES
LIBER: 3958 FOLIO: 897
TAX MAP: 36 BOLCK: 18 PARCEL: 66

IRON BAR FOUND
(HELD FOR COR.)

IRON BAR SET
CAPPED J J D # 169
(SET: AUG. 2012)
N 52° 55' 28" W
5.65'

PIPE FOUND
(HELD FOR LINE)

CENTERLINE
20' SEWER EASEMENT
(SEE LIBER: 2635 FOLIO: 747)

IRON BAR SET
CAPPED J J D # 169
(SET: AUG. 2012)

(CHANEY PARCEL)
SITE AREA
15,870,542 SF. + / -
OR
0.364 Ac. + / -

SHA
DONATION
AREA

N/F
SIN CAL TOM ASSOCIATES
LIBER: 3958 FOLIO: 897
TAX MAP: 36 BOLCK: 18 PARCEL: 67

(LAVENDER PARCEL)
SITE AREA
6,909,578 SF. + / -
OR
0.159 Ac. + / -

18' OVERHEAD POWER LINES RIGHT-OF-WAY



AZIMUTH AND ROOD LLC
115 CATHEDRAL STREET ANNAPOLIS, MD. 21401
E-MAIL: JOHN.DOWLING@AZIMUTHROOD.COM
(410) 269-1053

MD ROUTE 3
(SRC PLAT # 16267 AS HELD BY THIS SURVEY)

SPECIAL PURPOSE SURVEY
MARYLAND ROUTE 3
TAX MAP: 36 BLOCK: 18 PARCEL: 151
TAX MAP: 36 BLOCK: 18 PARCEL: P/O 153
4th. DISTRICT ANNE ARUNDEL COUNTY Md.
SCALE: 1" = 50' DATE: 5/17/23