

UNOFFICIAL COPY OF SENATE BILL 1089  
EMERGENCY BILL

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6lr3702  
CF 6lr3690

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By: **Senator Kasemeyer**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 13, 2006

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 20, 2006

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Howard County - ~~New Town Zoning District - Consolidation~~ Annexation of**  
3 **Land in Columbia**

4 FOR the purpose of authorizing, under certain circumstances, a certain parcel of land  
5 subject to a certain deed, agreement, and declaration, and located in a certain  
6 ~~new town zoning district area~~ of Howard County that is not part of a village or  
7 town center, to be ~~consolidated~~ annexed into the village or town center in which  
8 the parcel of land is located; ~~requiring a certain owner or developer to apply to a~~  
9 ~~certain village or town center community association for consolidation~~; requiring  
10 certain entities to approve the consolidation; requiring the instrument  
11 ~~consolidating~~ annexing a parcel of land into a village or town center to be  
12 recorded in the county land records; subjecting the parcel of land to certain  
13 recorded covenants and restrictions of the village or town center; providing that  
14 an annexation completed in accordance with this Act may not abrogate or in any  
15 other way affect any approvals granted or conditions imposed under certain  
16 covenants or contracts; ~~providing for the application of this Act~~; making this Act  
17 an emergency measure; and generally relating to the ~~consolidation~~ annexation  
18 of land in the ~~new town zoning district~~ of Columbia in Howard County.

19 BY adding to

20 Article - Real Property

21 Section 11B-113.5

22 Annotated Code of Maryland

23 (2003 Replacement Volume and 2005 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Real Property**

4 11B-113.5.

5 (A) ~~THIS SECTION ONLY APPLIES TO A DEVELOPMENT THAT CONTAINS AT~~  
6 ~~LEAST 13,000 ACRES OF LAND AND HAS A POPULATION OF AT LEAST 80,000~~  
7 ESTABLISHES THE PROCESS FOR THE ANNEXATION OF PARCELS OF LAND THAT ARE  
8 SUBJECT TO THE DEED, AGREEMENT, AND DECLARATION ESTABLISHING ANY OF  
9 THE VILLAGES OR TOWN CENTER IN COLUMBIA IN HOWARD COUNTY.

10 (B) NOTWITHSTANDING ANY PROVISION OF LAW OR CONTRACT, A PARCEL OF  
11 LAND LOCATED IN ~~THE NEW TOWN ZONING DISTRICT AND RECORDED IN THE LAND~~  
12 ~~RECORDS OF HOWARD COUNTY~~ THAT AREA OF LAND IN HOWARD COUNTY THAT IS  
13 SUBJECT TO THE DEED, AGREEMENT, AND DECLARATION OF COVENANTS,  
14 EASEMENTS, CHARGES, AND LIENS DATED DECEMBER 13, 1966, AND RECORDED IN  
15 THE LAND RECORDS OF HOWARD COUNTY IN LIBER W.H.H. 463, FOLIO 158, ET SEQ.  
16 (THE COLUMBIA ASSOCIATION DECLARATION) THAT IS NOT PART OF THE VILLAGE  
17 OR TOWN CENTER IN WHICH THE LAND IS LOCATED MAY BE ~~CONSOLIDATED~~  
18 ANNEXED INTO THE VILLAGE OR TOWN CENTER IF:

19 (1) THE OWNER OR DEVELOPER OF THE LAND MAKES AN APPLICATION  
20 ~~FOR CONSOLIDATION~~ ANNEXATION TO THE VILLAGE OR TOWN CENTER COMMUNITY  
21 ASSOCIATION; AND

22 (2) ~~THE HOWARD RESEARCH AND DEVELOPMENT CORPORATION OR ITS~~  
23 ~~SUCCESSOR,~~ THE COLUMBIA ASSOCIATION OR ITS SUCCESSOR, AND THE VILLAGE OR  
24 TOWN CENTER COMMUNITY ASSOCIATION APPROVE THE ~~CONSOLIDATION~~  
25 ANNEXATION.

26 (C) AN INSTRUMENT THAT CONSOLIDATES A PARCEL OF LAND INTO THE  
27 VILLAGE OR TOWN CENTER IN WHICH THE LAND IS LOCATED SHALL BE EXECUTED  
28 AND FILED FOR RECORDATION IN THE LAND RECORDS OF HOWARD COUNTY.

29 (D) (1) A PARCEL OF LAND THAT IS ~~CONSOLIDATED~~ ANNEXED INTO A  
30 VILLAGE OR TOWN CENTER IN ACCORDANCE WITH THIS SECTION SHALL BE SUBJECT  
31 TO THE RECORDED COVENANTS AND RESTRICTIONS OF THE VILLAGE OR TOWN  
32 CENTER IN WHICH THE PARCEL OF LAND IS LOCATED.

33 (2) AN ANNEXATION COMPLETED IN ACCORDANCE WITH THIS SECTION  
34 MAY NOT ABROGATE OR IN ANY OTHER WAY AFFECT ANY APPROVAL PREVIOUSLY  
35 GRANTED OR CONDITION PREVIOUSLY IMPOSED UNDER A RECORDED COVENANT OR  
36 CONTRACT REGARDING IMPROVEMENTS CONSTRUCTED ON THE ANNEXED  
37 PROPERTY.

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
39 measure, is necessary for the immediate preservation of the public health or safety,  
40 has been passed by a yea and nay vote supported by three-fifths of all the members

- 1 elected to each of the two Houses of the General Assembly, and shall take effect from
- 2 the date it is enacted.