



MONTGOMERY COUNTY DEPARTMENT OF PARKS
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

August 24, 2007

Agenda Date: Sept. 13, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Bradford, Director of Parks *MB*
Douglas Alexander, Acting Chief, Park Development Division *DA*

FROM: William E. Gries, Land Acquisition Specialist *WEG*

SUBJECT: Crabbs Branch Stream Valley Park – Authorization to Convey to Montgomery County, Maryland 3,613 square feet (0.08 acres) in Fee and 3,969 square feet (0.09 acres) in Easements for the Redland Road Improvement Project between Crabbs Branch Way and Needwood Road, Derwood, Maryland.

BACKGROUND:

The Montgomery County Department of Public Works and Transportation has presented an offer to the Commission to purchase certain property interests in Crabbs Branch Stream Valley Park as right-of-way for road improvements that are to be made along Redland Road between Crabbs Branch Way and Needwood Road in Derwood, Maryland.

The property interests to be acquired affects parklands conveyed to the Commission by The Artery Organization, Inc. by deed dated February 7, 1980. A total of 12.3 acres of parkland was dedicated to the Commission, at no cost, as part of the development approval process for Artery's subdivision known as Derwood Station. Parkland required for the road improvement includes frontage along Crabbs Branch Way, south of Redland Road, as shown on Map "A" attached. There are no park facilities impacted by the project. The land being taken is situated west of the Needwood Golf Course and is part of an unimproved tributary to Rock Creek known as Crabbs Branch. All disturbed areas will be reseeded and landscaped as required by approved construction plans.

The proposed roadway improvements to Redland Road between Crabbs Branch Way and Needwood Road were reviewed and approved, with comments, by the

Montgomery County Planning Board as a mandatory referral item on December 11, 2003. At that time the Board was advised that existing parkland adjacent to the project would likely be impacted. Further, the Board was advised that County would request a conveyance of any impacted parkland when the project was finally engineered. This engineering work has been completed and the right-of-way limits for the project have been identified. The property needed for the road project includes 3,613 square feet (0.08 acres) in fee and 3,969 square feet (0.09 acres) in easements.

OFFER:

D.P.W.&T. had the taking area valued by an appraiser who concluded that the 3,613 square feet (0.08 acres) to be acquired in fee was worth \$725.00 and the 3,969 square feet (0.09 acres) to be acquired in easement was worth \$325.00 for a total value of \$1,050. The base value for the acreage appraised was \$8,712 per acre, which staff feels is fair and equitable.

RECOMMENDATION:

Staff recommends that the Planning Board accept the offer of \$1,050 for the right-of-way needed by D.P.W.&T. for the Redland Road Improvement Project. Assuming the Board approves the staff recommendation, this matter will be scheduled for final approval by the full M-NCPPC as the property to be conveyed is titled in the name of the Commission.

Map "A"

MCPB 07-
M-NCPPC 07-

RESOLUTION

WHEREAS, the Maryland-National Capital Park and Planning Commission (Commission), acquired land for Crabbs Branch Stream Valley Park (Park) at the intersection of Redland Road and Crabbs Branch Way, Derwood, Maryland; and

WHEREAS, the Montgomery County Department of Public Works and Transportation (D.P.W.&T.) has requested that the Commission convey 3,613 square feet (0.08 acres) in fee simple, and grant 3,969 square feet (0.09 acres) in various easements including: (a) 3,083 square feet in perpetual drainage easement, and (b) 886 square feet in temporary construction easement to Montgomery County, Maryland for the construction of road improvements to Redland Road between Crabbs Branch Way and Needwood Road; and

WHEREAS, the conveyance of the land and grant of the easements to Montgomery County, Maryland, as generally shown on MAP "A" attached hereto, will facilitate the construction of improvements to Redland Road between Crabbs Branch Way and Needwood Road, which improvement plans were approved by the Montgomery County Planning Board as an D.P.W.&T. mandatory referral item on December 11, 2003, and

WHEREAS, due to its location and limited size, the land and easements requested by D.P.W.&T. as shown on MAP "A" may be conveyed and granted without significantly affecting existing and planned improvements within the Park; and

WHEREAS, the Montgomery County Planning Board received and considered a recommendation from staff to the Commission at its regularly scheduled meeting on Thursday, September 13, 2007, which was that the land and easements are not needed for park purposes or other purposes under Article 28, Annotated Code of Maryland and that this conveyance and grant is in the public interest; and

WHEREAS, on Thursday, September 13, 2007, the Montgomery County Planning Board determined pursuant to Section 5-111, Article 28, Annotated Code of Maryland that the land and easements are not needed for park purposes or other purposes under Article 28, Annotated Code of Maryland.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 5-111, Article 28, Annotated Code of Maryland, the Maryland-National Capital Park and Planning Commission hereby declares that the 3,613 square feet (0.08 acres) of land in fee simple and the 3,969 square feet (0.09 acres) of land in easements, as described herein, are not needed for park purposes or other purposes under Article 28, Annotated Code of Maryland.

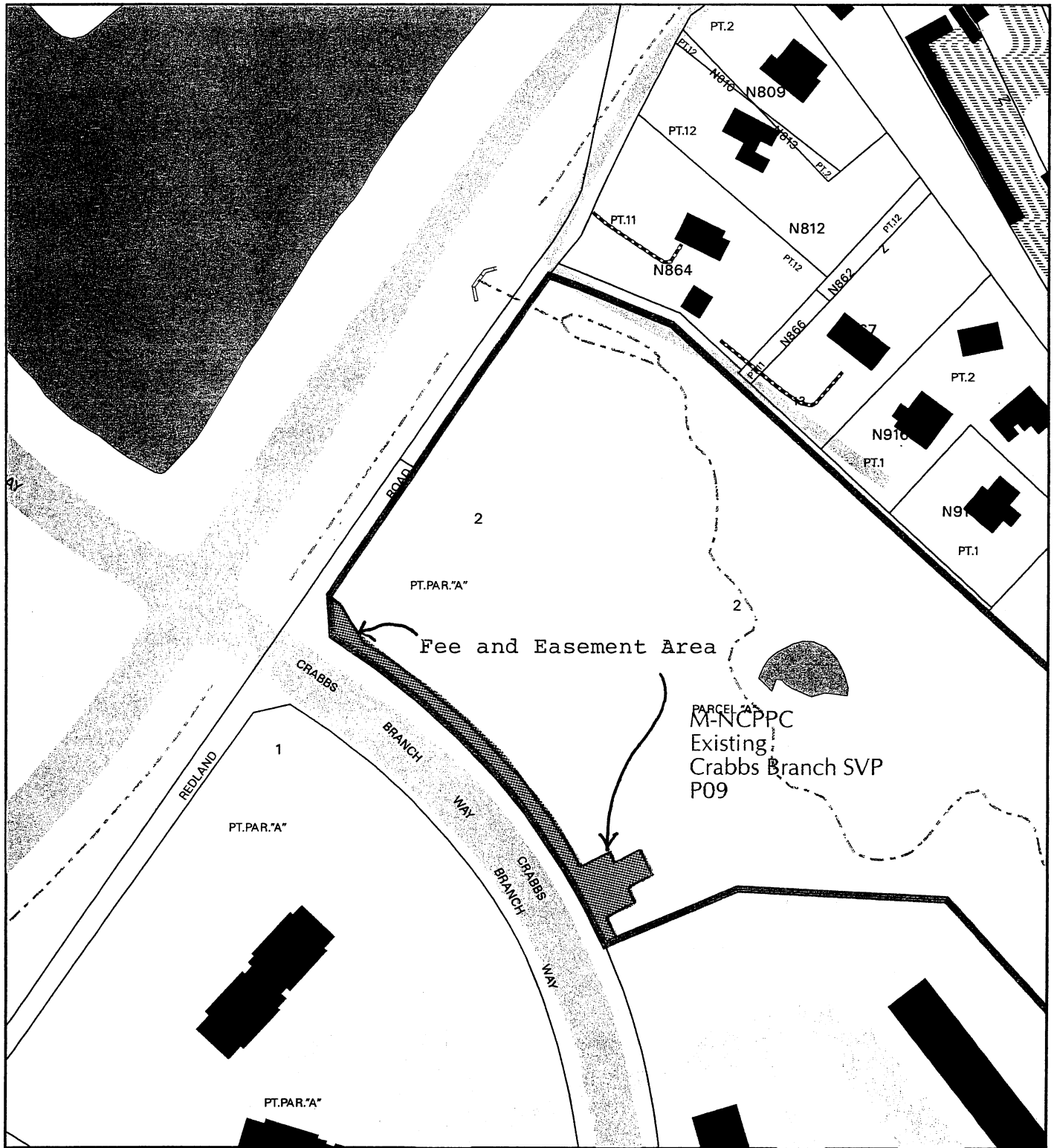
* * * * *

R. Bruce Crawford
Executive Director

* * * * *

Date _____

CRABBS BRANCH SVP



Map compiled on August 17, 2007 at 3:41 PM | Site located on base sheet no. 222NW08

NOTICE

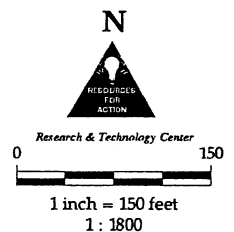
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland - National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-03760

Key Map



Map "A"