



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

August 17, 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: Rock Creek Stream Valley Park, Unit 14 – Authorization to Convey to State Highway Administration 8,840 square feet (0.20 acres) in Fee and 9,278 square feet (0.22 acres) in Easements for MD Rte. 124 (Woodfield Road) Road Improvements.

BACKGROUND:

The State Highway Administration has presented an offer to the Commission to purchase certain property interests in Rock Creek Stream Valley Park, Unit 14 as right-of-way for road improvements that are to be made along MD Rte 124 (Woodfield Road), at its intersection with Airpark Road.

The property interests to be acquired affects parklands conveyed to the Commission by the Interdenominational Church of God, Inc. by deed dated May 24, 2000. A total of 7.11 acres of parkland was dedicated to the Commission, at no cost, as part of the development approval process for facilities eventually constructed by the Church. Parkland required for the road improvement includes frontage along both MD Rte. 124 (Woodfield Road) and Airpark Road, as shown on Maps "A" and "B" attached. There are no park facilities impacted by the project. The land being taken is situated west of the Agricultural History Farm Park and is an unimproved tributary stream to Rock Creek. All disturbed areas will be reseeded and landscaped as required by approved construction plans.

The proposed roadway improvements to MD Rte. 124 (Woodfield Road), including intersection construction at Airpark Road, were reviewed and approved, with comments, by the Montgomery County Planning Board as a mandatory referral item on February 15, 2007. At that time the Board was advised that existing parkland adjacent to


the project would be impacted. Further, the Board was advised that SHA would present an offer for the impacted property 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 8,840 square feet (0.20 acres) in fee and 9,278 square feet (0.22 acres) in easements.


OFFER:

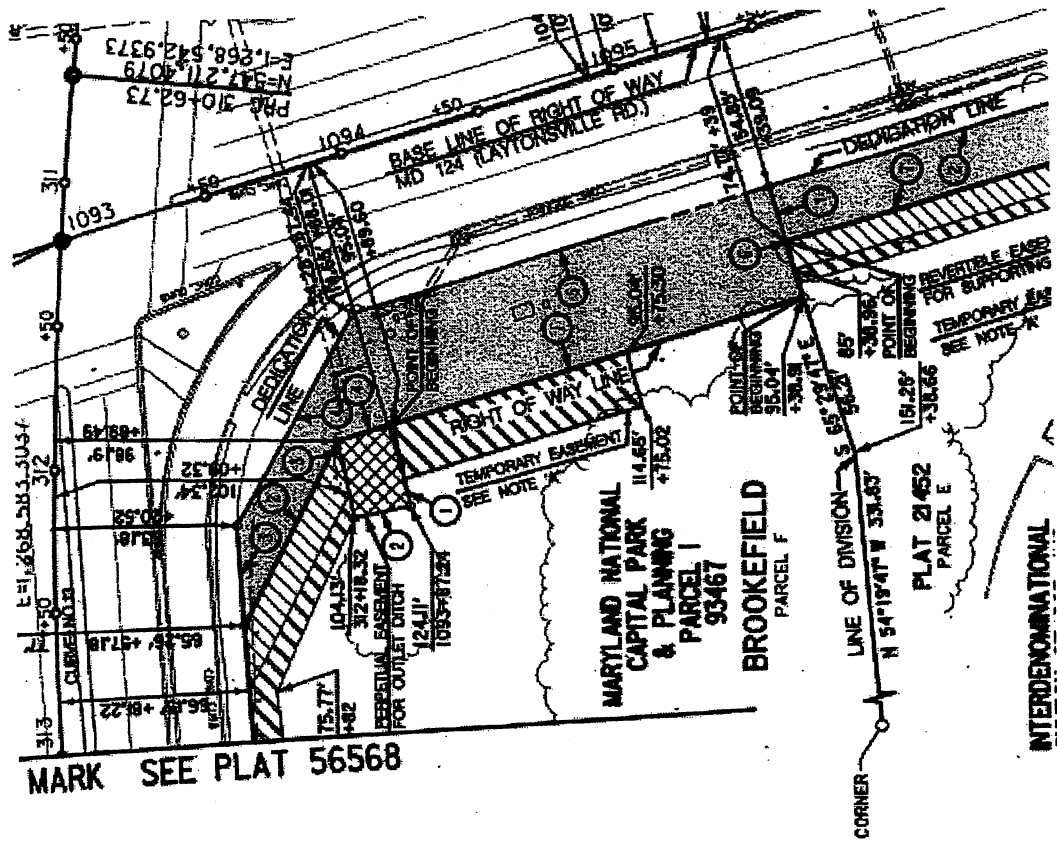
SHA had the taking area appraised by an independent real estate appraiser who valued the 8,840 square feet (0.20 acres) to be acquired in fee at \$2,033 and the 9,278 square feet (0.22 acres) to be acquired in easement at \$358 for a total value of \$2,391 which was rounded to \$2,400. The base value for the acreage appraised was \$10,000 per acre which staff feels is fair and equitable.


RECOMMENDATION:

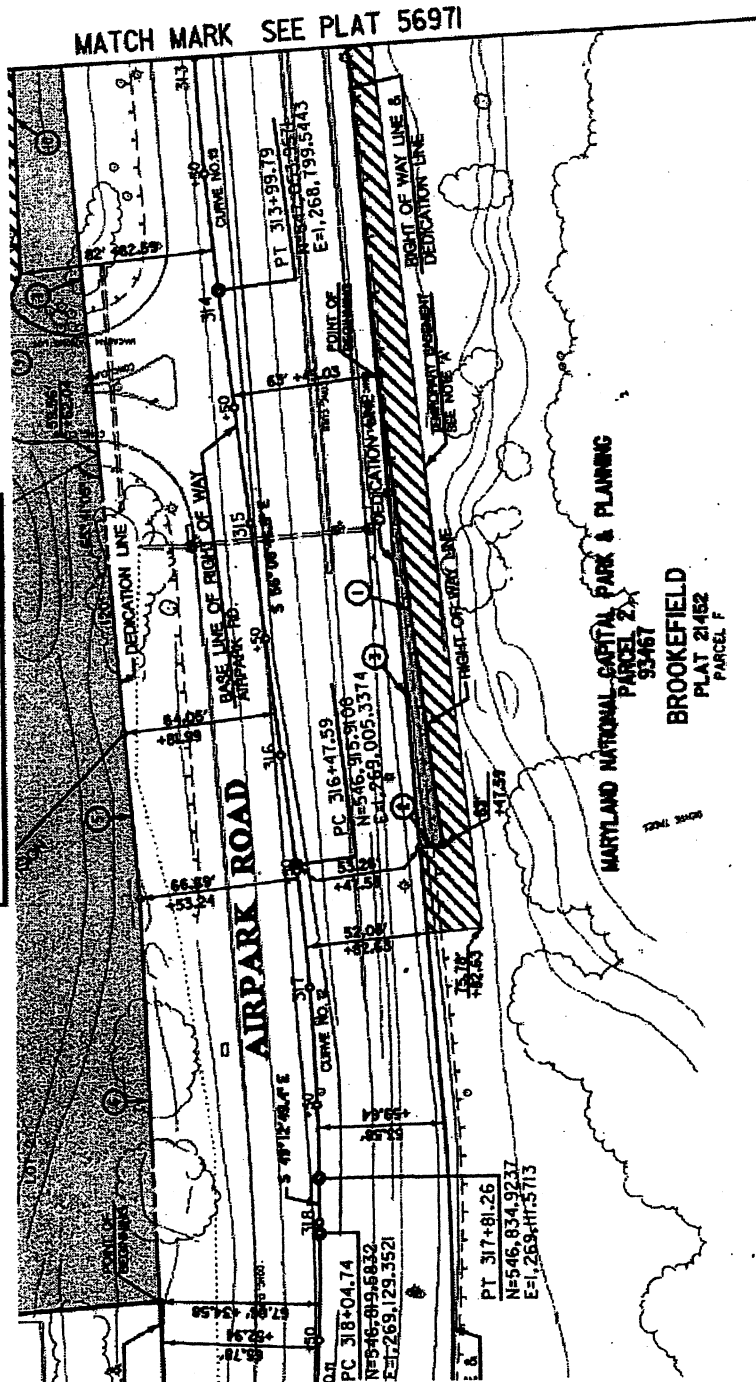
Staff recommends that the Planning Board accept the offer of \$2,400 for the right-of-way needed by SHA for the MD Rte. 124 (Woodfield Road) Improvement Project. Assuming the Board approves the staff recommendation, this matter will be scheduled for final approval by the full M-NCPPC as the property to be conveyed is titled in the name of the Commission.

MARYLAND NATIONAL CAPITAL PARK & PLANNING 93467		
REC'D	LIBER FOLIO	
1	S 61°06'56" E	29.16'
2	S 28°53'36" W	20.00'
3	N 61°08'04" W	27.53'
4	N 24°14'47" E	20.07'
PERPETUAL EASEMENT AREA: 567 SQ. FT OR 0.0130		
ACRES ± SHOWN THUS: 		

MARYLAND NATIONAL CAPITAL PARK & PLANNING - PARCEL I 93467		
REC'D	LIBER FOLIO	
1	S 24°14'47" W	169.39'
2	S 22°11'42" E	71.98'
3	N 53°23'39" W	35.15'
4	N 20°04'25" W	83.85'
5	N 24°27'18" E	151.65'
6	S 65°29'47" E	40.21'
FEE SIMPLE AREA 7.854 ACRES ±		
SQ. FT OR 0.1803 SHOWN THUS: 		
REVERTIBLE EASEMENT 887 ACRES ±		
SQ. FT OR .0204		
TEMPORARY EASEMENT 1693 ACRES ±		
SQ. FT OR .0389		



MARYLAND NATIONAL CAPITAL PARK & PLANNING - PARCEL 2 93467			
REC'D	FOLIO		
LIBER			
1	S 56°08'47" E	202.56'	
2	S 33°51'13" W	9.74'	
3	N 53°23'39" W	202.80'	
FEE SIMPLE AREA 986 SQ.FT OR 0.023 ACRES ± SHOWN THUS: 			
TEMPORARY EASEMENT		8131	ACRES ±
SQ.FT OR		.1408	



MCPB 07-
M-NCPPC 07-

RESOLUTION

WHEREAS, the Maryland-National Capital Park and Planning Commission (Commission), acquired land for Rock Creek Stream Valley Park, Unit 14 (Park) at the intersection of MD Rte. 124 (Woodfield Road) and Airpark Road, Gaithersburg, Maryland; and

WHEREAS, the Maryland State Highway Administration (SHA) has requested that the Commission convey 8,840 square feet (0.20 acres) in fee simple, and grant 9,278 square feet (0.22 acres) in various easements including: (a) 567 square feet in perpetual drainage easement, (b) 887 square feet in revertible slope easement, and (c) 7,824 square feet in temporary construction easement to the State of Maryland for the construction of road improvements to MD Rte. 124 (Woodfield Road) at its intersection with Airpark Road; and

WHEREAS, the conveyance of the land and grant of the easements to the State of Maryland, as generally shown on MAPS "A" and "B" attached hereto, will facilitate the construction of improvements to MD Rte. 124 (Woodfield Road) at its intersection with Airpark Road, which improvement plans were approved by the Montgomery County Planning Board as an SHA mandatory referral item on February 15, 2007; and

WHEREAS, due to its location and limited size, the land and easements requested by SHA, as shown on MAPS "A" and "B", 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.

WHEREAS, the Montgomery County Planning Board approved the conveyance of the land to the State of Maryland consisting of 8,840 square feet (0.20 acres) in fee simple and a grant of 9,278 square feet (0.22 acres) in easements.

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 8,840 square feet (0.20 acres) of land in fee simple and the 9,278 square feet (0.22 acres) of land in easements, as described herein, are not needed for park purposes or other purposes under Article 28, Annotated Code of Maryland.

BE IT FURTHER RESOLVED, that pursuant to Article 28, Annotated Code of Maryland, the Maryland-National Capital Park and Planning Commission hereby approves the conveyance of the land and grant of easements to the State of Maryland Maryland, upon the payment of \$2,400 to the Maryland-National Capital Park and Planning Commission by the State of Maryland.

* * * * *



This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, and _____ voting in favor of the motion at its regular meeting held on September 13, 2007 in Silver Spring, Maryland.

R. Bruce Crawford
Executive Director

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, _____, _____, and _____ voting in favor of the motion at its regular meeting held on Wednesday, October 17, 2007, in Riverdale, Maryland.

R. Bruce Crawford
Executive Director

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