



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

MCPB Agenda Item: #6

Agenda Date: January 20, 2011

January 13, 2011

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Bradford, Director of Parks

FROM: William E. Gries, Park Development Division

SUBJECT: Resolution authorizing the purchase of 17.71 acres, more or less, unimproved from the Maryland State Highway Administration (SHA) as an addition to Rock Creek Regional Park

RECOMMENDATION

Staff recommends that the Montgomery County Planning Board approve the attached Resolution authorizing the Executive Director to execute a Land Purchase Agreement with the Maryland State Highway Administration (SHA) to acquire 17.71 acres, more or less, unimproved, as an addition to Rock Creek Regional Park. The property is located southeast of Needwood Road, north of Beach Drive, in the Rockville area of Montgomery County. The property will be acquired for a purchase price of \$448,000.00. In conjunction with this acquisition, SHA will: 1) convey to the Commission at settlement an additional 16.79 acres, more or less, of unimproved land for no monetary consideration and 2) pay to the Commission at settlement \$221,110.56 as a "fee-in-lieu" payment for 2.82 acres of forest conservation easements lost to the construction of the Intercounty Connector. Details on this recommended parkland acquisition were presented to the Board in closed session on January 13, 2011.



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

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RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission ("Commission") is authorized by Article 28, Section 5-101 of the Annotated Code of Maryland to acquire, develop, maintain and operate a public park system within the Maryland-Washington Metropolitan District; and

WHEREAS, the Montgomery County Planning Board received and considered a recommendation from staff of the Commission in closed session on January 13, 2011, that said Board approve the acquisition of 17.71 acres, more or less, of unimproved land, from the Maryland State Highway Administration (SHA) as an addition to the Commission's Rock Creek Regional Park; and

WHEREAS, there are sufficient funds available in the Commission's Lake Needwood Modifications CIP Project to pay the \$448,000.00 negotiated purchase price; and

WHEREAS, in conjunction with the acquisition of the subject property, SHA will: 1) convey to the Commission at settlement an additional 16.79 acres, more or less, of unimproved land for no monetary consideration and 2) pay to the Commission at settlement \$221,110.56 as a "fee-in-lieu" payment for 2.82 acres of forest conservation easements lost to the construction of the Intercounty Connector;

NOW THEREFORE BE IT RESOLVED, that the Commission is hereby authorized to acquire, for \$448,000.00, the real property from the Maryland State Highway Administration (SHA) consisting of 17.71 acres, more or less, of unimproved land as an addition to Rock Creek Regional Park as shown on **Exhibit A** attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Commission is hereby authorized to acquire, for no monetary consideration, the real property from SHA consisting of 16.79 acres, more or less, of unimproved land as shown on Exhibit A attached hereto; and

BE IT FUTHER RESOLVED, that the Commission is hereby authorized to accept \$221,110.56 from SHA as a "fee-in-lieu" payment for the mitigation of 2.82 acres of forest conservation easements lost to the construction of the Intercounty Connector; and


BE IT FUTHER RESOLVED, that in connection with the transactions contemplated herein, the Executive Director is authorized to execute and deliver, on behalf of the Commission, any and all such certificates, documents, and/or instruments, and to do or cause to be done, any and all such acts, as the Executive Director deems necessary or appropriate to make effective or to implement the intended purposes of the foregoing resolutions, without limitation, and the taking of such actions shall be deemed conclusively to be authorized hereby.

* * * * *

Certification

This is to certify 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 _____, _____, _____, _____ all voting in favor of the motion at its regular meeting held on Thursday, January 20, 2011 in Silver Spring, Maryland.

Francois Carrier, Chair
Montgomery County Planning Board

Approved as to legal sufficiency

MCNPPC Legal Department
Date 1/13/11

SHA Property



1" = 400'

Today's Date: 12/20/10
Sources: M-NCPCC, 2010

Exhibit "A"