

ATTACHMENT "B"

Draft Resolution

MCPB No. _____

Purple Line Project:

- Approval of Memorandum of Agreement with MTA
- Recommendation for Conveyance of Commission real property interests to MTA

Date of Hearing: February 25, 2016

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission ("**Commission**") is authorized under the Annotated Code of Maryland, Land Use Article §17-206 to exchange land held by it for any other land held by any other public body or agency, which the Commission determines to be more suitable for its statutory purposes; and

WHEREAS, the Commission is further authorized by the Annotated Code of Maryland, Land Use Article, Titles 17 and 20, to own, control, develop, maintain, and operate a public park system and conduct mandatory referral review of public projects within the Maryland-Washington Metropolitan District; and

WHEREAS, the Maryland Transit Administration of the Maryland Department of Transportation (the "**MTA**") proposes to construct a new 16.2-mile light rail line extending from Bethesda in Montgomery County to New Carrollton in Prince George's County known as the Maryland-National Capital Purple Line (the "**Purple Line Project**"); and

WHEREAS, on March 20, 2014, the Commission's Montgomery County Planning Board (the "**Board**") reviewed the mandatory referral for the Purple Line Project and approved same with comments to MTA, including entering into a Memorandum of Agreement (the "**MOA**") between the Commission's Montgomery County Departments of Parks and Planning (collectively, the "**Department**") and MTA on terms to be approved by the Board; and

WHEREAS, the MTA communicated to the Department of Parks MTA's need for certain property interests in Commission owned parkland (collectively, the "**Commission Property**"), which property interests are described in more detail in Exhibit A attached, and

WHEREAS, in exchange for conveyance of the Commission Property, MTA has agreed to obtain certain replacement property from Montgomery County, described in more detail in Exhibit B, attached, which is recorded among the Land Records of Montgomery County (the

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“Exchange Property”), and convey the same to the Commission in accordance with the terms of the MOA; and

WHEREAS, the Department staff (“Staff”) have negotiated with MTA to produce a MOA in accordance with the Board’s prior instructions, and have presented the draft form of that MOA to the Board during a closed session held on January 21, 2016, for the Board’s consideration; and

WHEREAS, the Staff presented a memorandum to the Board, dated February 18, 2016, setting forth its analysis and recommendation for approval of the MOA (“Staff Report”); and

WHEREAS, on February 25, 2016, the Board held a public hearing to consider the approval of the MOA and recommendation of conveyance of the Commission Property to the Commission, subject to certain conditions; and

WHEREAS, on February 25, 2016, on motion of Commissioner _____, seconded by Commissioner _____, with a vote of ___-___; Commissioners _____, _____, _____, _____, and _____ voting in favor, the Board voted to: (1) approve the MOA; and (2) recommend that the Commission approve conveyance of the Commission Property to MTA, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED that, the Board has determined that the terms of the MOA is satisfactory and hereby approved, subject to the Commission’s approval of conveyance of the Commission Property; and

BE IT FURTHER RESOLVED that, the Board finds that the Exchange Property is more suitable for playground and recreational purposes than the Commission’s lands to be exchanged for the Exchange Property; and

BE IT FURTHER RESOLVED that, a final executable form of the MOA be presented to the Board as a consent agenda before being transmitted to the Executive Director for signing; and

BE IT FURTHER RESOLVED that, the Board hereby recommends the Commission approve conveyance of the Commission Property to MTA, as listed in the MOA, conditioned on MTA accepting title thereto subject to any obligations imposed as a consequence of the Program Open Space funding.

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CERTIFICATION

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 at its regular meeting held on Thursday, _____, 2016, in Silver Spring, Maryland.

Casey Anderson, Chair
Montgomery County Planning Board

Purple Line
Properties to be Acquired from M-MCPC (Montgomery County)

MTA ITEM NUMBER	PLAT NUMBER	TAX DISTRICT	TAX ACCOUNT IDENTIFICATION NUMBER	ADDRESS	OWNER NAME	COUNTY	AREA OF FEE SIMPLE TAKE SQ. FT.	AREA OF TEMPORARY CONSTRUCTION EASEMENT, SQ. FT.	AREA OF REVERIBLE EASEMENT, SQ. FT.	AREA OF PERPETUAL ACCESS EASEMENT, SQ. FT.	AREA OF PERPETUAL AERIAL EASEMENT, SQ. FT.	AREA OF PERPETUAL DRAINAGE EASEMENT, SQ. FT.	AREA OF PERPETUAL SPECIAL PURPOSE EASEMENT, SQ. FT.	AREA OF PERPETUAL SUB- SURFACE EASEMENT, SQ. FT.	AREA OF PERPETUAL UTILITY EASEMENT, SQ. FT.	ACQUISITION TYPE
01389	59199	07	2381911	4600 ELM STREET	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	0	497	0	0	0	383	0	0	0	Partial
01504	59233	13	968824	8680 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	1,215	5,018	0	0	0	804	0	0	0	Partial
01505	59233	13	968783	PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	1,414	8,653	0	0	0	1,059	0	0	0	Partial
01506	59233	13	968817	8700 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	429	961	0	0	0	1,375	0	0	0	Partial
01507	59233	13	968910	8700 GARLAND AVENUE	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	1,536	7,809	0	0	0	1,710	0	0	0	Partial
01508	59233	13	970627	8714 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	14	1,476	0	0	0	309	0	0	0	Partial
01509	59233	13	970638	8712 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	0	564	0	0	0	73	0	0	0	Partial
01641	59227	13	U269819	SLUGO PARKWAY	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	19,291	26,834	0	0	0	12,520	0	0	13,683	Partial
01651	59236	13	970365	720 UNIVERSITY BOULEVARD E	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	4,613	4,334	0	0	0	0	0	0	0	Partial
01652	59235 59236	13	970376	UNIVERSITY BOULEVARD E	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	5,380	2,359	0	0	0	0	0	0	0	Partial
01691	59236	13	1744982	UNIVERSITY BOULEVARD E	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	4,727	3,257	0	0	0	0	0	0	0	Partial



ATTACHMENT "C"

List of Parklands
to be conveyed to MTA

Purple Line
Properties to be Acquired from M-HQPC (Montgomery County)

MTA BID NUMBER	PLA NUMBER	TAX DISTRICT	TAX ACCOUNT IDENTIFICATION NUMBER	ADDRESS	OWNER NAME	COUNTY	AREA OF THE MEDICAL TAKE SQ. FT.	AREA OF LEGISLATIVE CONSTRUCTION SQ. FT.	AREA OF REHABILITATION SQ. FT.	AREA OF PERFECT ACCESS SQ. FT.	AREA OF PERFECT ACCESS LANDING SQ. FT.	ACQUISITION TYPE							
01389	59199	07	2381911	4600 ELM STREET	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	0	497	0	0	0	383	0	0	0	0	0	0	Partial
01504	59233	13	968624	8680 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	1,215	5,018	0	0	0	804	0	0	0	0	0	0	Partial
01505	59233	13	968783	PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	1,414	8,653	0	0	0	1,059	0	0	0	0	0	0	Partial
01506	59233	13	968817	8700 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	429	961	0	0	0	1,375	0	0	0	0	0	0	Partial
01507	59233	13	968910	8700 GARLAND AVENUE	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	1,536	7,809	0	0	0	1,710	0	0	0	0	0	0	Partial
01508	59233	13	970627	8714 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	14	1,476	0	0	0	309	0	0	0	0	0	0	Partial
01509	59233	13	970638	8712 PINEY BRANCH ROAD	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	0	564	0	0	0	73	0	0	0	0	0	0	Partial
01641	59227	13	U768819	SUGO PARKWAY	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	19,291	76,834	0	0	0	12,520	0	0	0	0	13,683	Partial	
01651	59236	13	970365	720 UNIVERSITY BOULEVARD E	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	4,613	4,334	0	0	0	0	0	0	0	0	0	0	Partial
01652	59235	13	970376	UNIVERSITY BOULEVARD E	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	5,380	2,359	0	0	0	0	0	0	0	0	0	0	Partial
01691	59236	13	1744982	UNIVERSITY BOULEVARD E	MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION	MONTGOMERY	4,227	3,257	0	0	0	0	0	0	0	0	0	0	Partial