




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

December 18, 2002

Agenda Date: Jan. 9, 2003

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Acting Chief, Park Development Division 

FROM: William E. Gries, ^{weg} Land Acquisition Specialist

SUBJECT: Airy Hill Local Park - Authorization to Convey to State Highway Administration 1.488 acres in Fee and 0.646 acres in Temporary Construction Easement for U.S. Rte. 29 and Briggs Chaney Road Intersection Improvements.

BACKGROUND

The State Highway Administration has presented an offer to the Commission to purchase land at Airy Hill Local Park, located immediately south of Paint Branch High School, as right-of-way for the construction of intersection improvements at U.S. Rte. 29 and Briggs Chaney Road. See map "A" attached.

Airy Hill Local Park is a 12.8 acre undeveloped park which was purchased by the Commission in the spring of 1999. As indicated in the 1997 Fairland Master Plan, half of this site is to eventually be shared with the Board of Education for its use in conjunction with programs at Paint Branch High School, while the other half is to be developed as a local park. Two parcels of land totaling approximately 3.2 acres remain to be acquired at the Airy Hill park site before this land assemblage will be considered complete. Staff at the Board of Education and the Department of Park and Planning have reviewed the right-of-way requirements for this project as they affect Airy Hill and while we do not like to see any loss of acreage at this location there doesn't appear to be any real option for us.

The proposed intersection improvement at U.S. Rte 29 and Briggs Chaney Road was reviewed and approved, with comments, by the Montgomery County Planning Board as a mandatory referral item on November 1, 2001. At that time, the Board was advised that this project would impact Airy Hill Local Park. Further, the Board was advised that SHA would present an offer for the impacted property when the project was engineered to the point where the exact limits of impact could be determined. This engineering work has been completed and the

right-of-way limits of the project have now been identified. Specifically, 1.488 acres of Airy Hill Local Park will be required by SHA, in fee simple, and 0.646 acres will be required by SHA, as a temporary construction easement. These areas are generally shown on Map "B" attached.

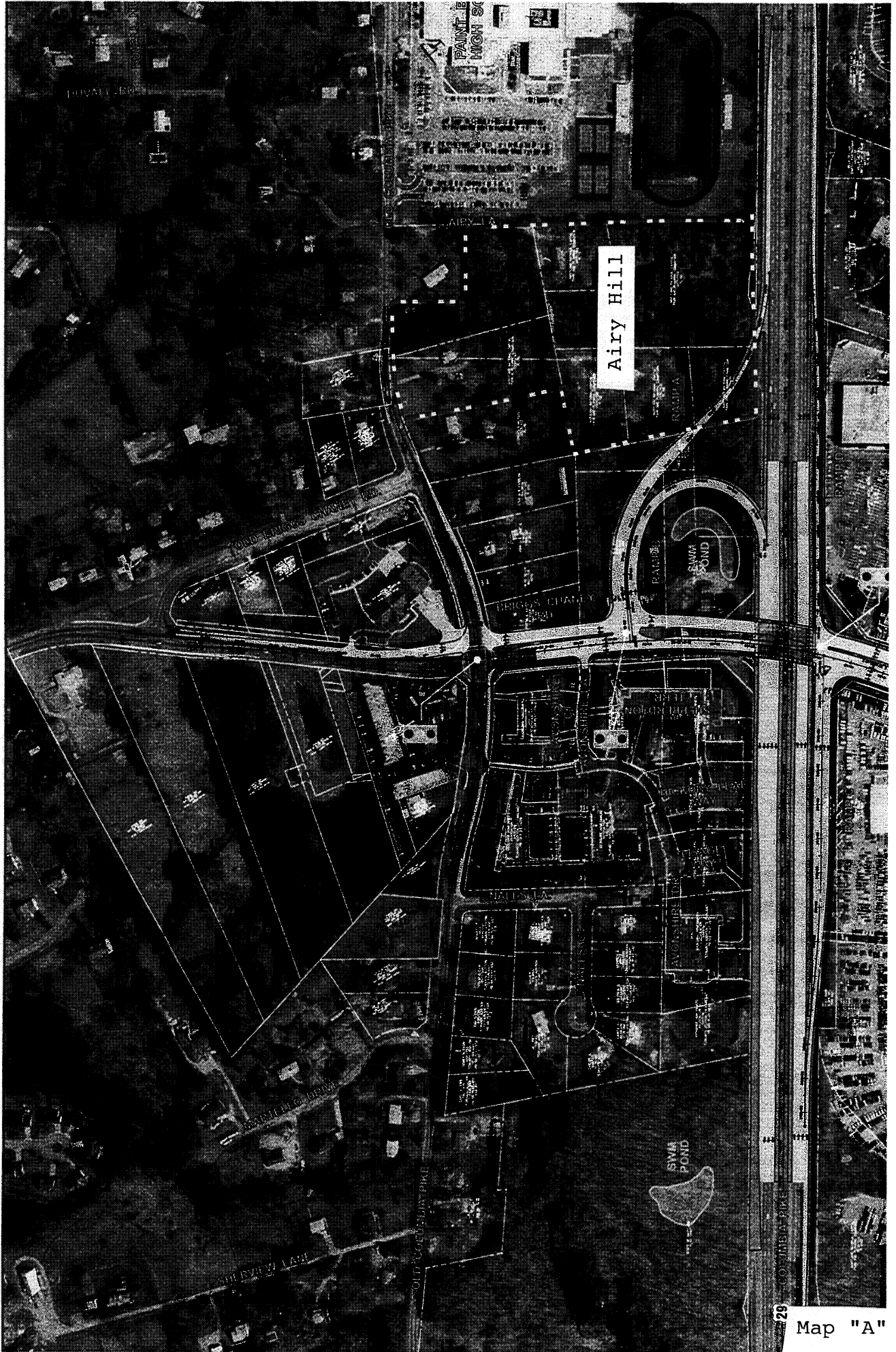
OFFER

The SHA had the taking area appraised by an independent real estate appraiser who valued the taking at \$92,925 per acre for the fee simple portion and 10% of that amount for the easement portion. The total amount offered for the taking is \$144,300. This amount was calculated as follows: $1.488 \text{ acres} \times \$92,925 = \$138,273 + 0.646 \times \$92,925 \times .10 = \$144,276$. This amount was rounded to \$144,300.00. The proceeds from this sale will be credited back to the Commission's Local Parkland Acquisition Program.

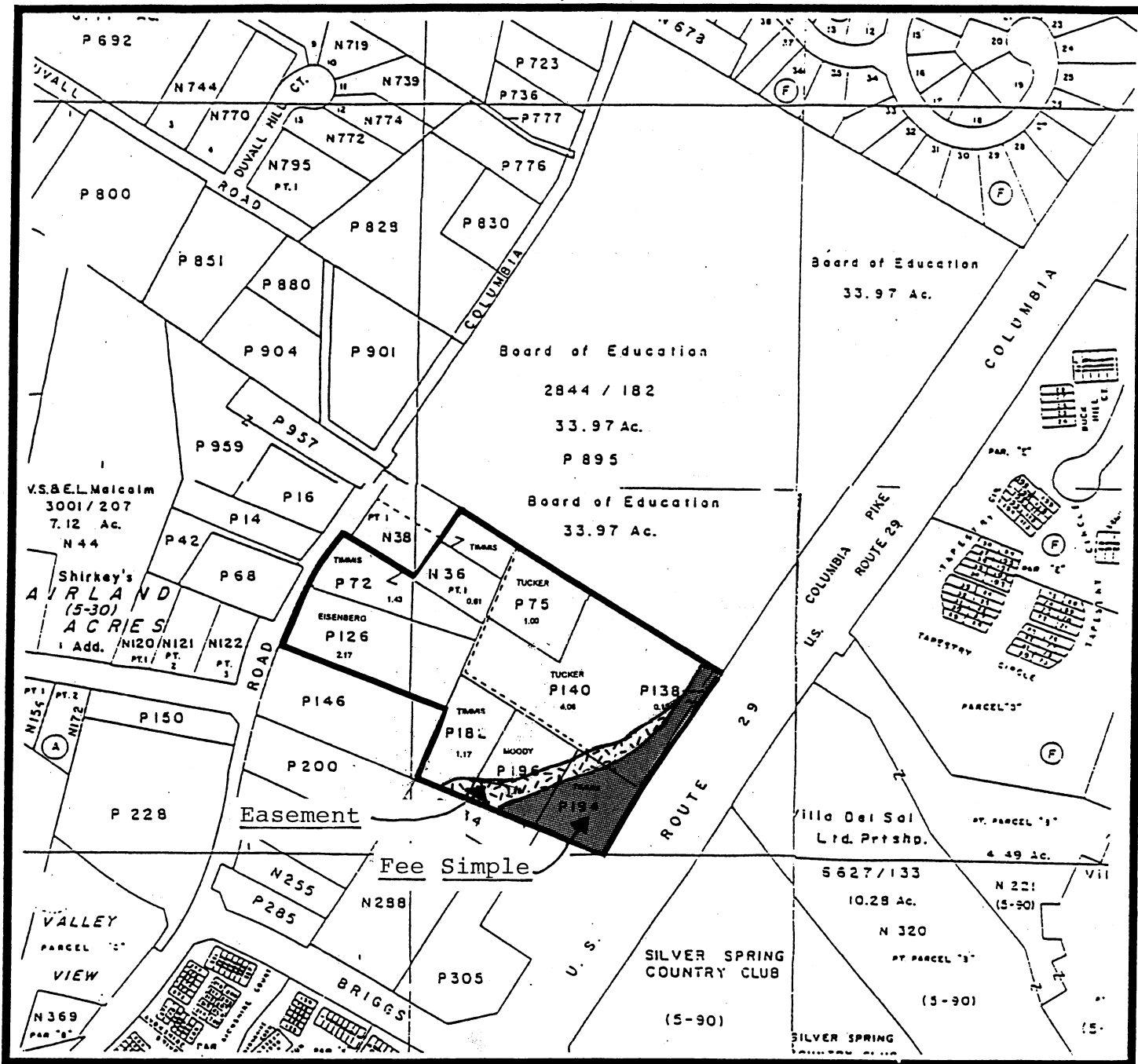
RECOMMENDATION

Staff recommends that the Planning Board accept this offer and sell the required right-of-way to SHA. To facilitate the project's construction SHA has requested a Right of Entry Agreement to allow for access to the site prior to the conveyance actually being completed. Staff intends to grant that Right of Entry, if the Board approves this sale. Assuming the Board approves the staff recommendation, this matter will be scheduled for final approval action by the full M-NCPPC as the property is titled in the name of the Commission.

US 29/BRIGGS CHANEY ROAD INTERCHANGE



**CICELY G. TUCKER, ET AL PROPERTY ASSEMBLAGE
 OLD COLUMBIA PIKE
 BURTONSVILLE, MARYLAND 20866**



NO.	OWNER	PREMISE ADDRESS	TAX ID NUM	ACRE	PARCEL	LAND	IMPROVE	TOTAL
1	EISENBERG, DAVID H., ETAL	14005 OLD COLUMBIA PIKE	05-001-0258517	2.17	P126	103,630.00	44,730.00	148,360.00
2	MOODY, FRANK E. & M. E.	3120 AIRY HILL LANE	05-001-0271241	1.18	P196	88,200.00	47,560.00	135,760.00
3	TIMMIS, JAMES A.	AIRY HILL LANE	05-001-0280132	1.17	P182	83,460.00		83,460.00
4	TIMMIS, JAMES A., ETAL	OLD COLUMBIA PIKE	05-001-0261537	1.43	P072	86,010.00		86,010.00
5	TIMMIS, JAMES A., ETAL	AIRY HILL LANE	05-001-0280110	1.01	P194	81,910.00		81,910.00
6	TIMMIS, JAMES A., ETAL	3001 AIRY HILL LANE	05-020-0321038	0.61	N036	81,780.00		81,780.00
7	TUCKER, CICELY G.	AIRY HILL LANE	05-001-0254428	4.08	P140	106,760.00		106,760.00
8	TUCKER, CICELY G.	AIRY HILL LANE	05-001-0254430	0.15	P138	10.00		10.00
9	TUCKER, CICELY G.	3000 AIRY HILL LANE	05-001-0267011	1.00	P075	90,890.00	80,750.00	171,640.00
*** Total ***				12.80		722,650.00	173,040.00	895,690.00