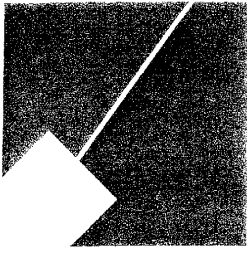


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION9500 Brunett Avenue
Silver Spring, Maryland 20901

January 19, 2005

Agenda Date: January 27, 2005

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Chief, Park Development Division *M*

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

SUBJECT: Montrose Parkway West – Authorization to Convey to Montgomery County, Maryland 0.84 acres, more or less, unimproved, as Right-of-Way for the Montrose Parkway West Improvement Project.

BACKGROUND

The Montgomery County Department of Public Works and Transportation has requested that the Commission convey to it 37,001 square feet (0.84 acres), more or less, unimproved, as right-of-way for the Montrose Parkway West Improvement Project. See attached letter dated September 8, 2004. The Commission property required for this project is identified as Outlot "B", Block 3 on a plat of subdivision entitled "Tilden Woods" recorded in Plat Book 69 at Plat No. 6486 of the Land Records for Montgomery County. This property is needed by the County for the Montrose Road Improvement Project to provide an alternate access to the Faith United Methodist Church property located south of Montrose Road, west of its intersection with Tilden Wood Drive, and as a site for a stormwater management facility.

The land requested was acquired by the Commission, at no cost, from the developer of "Tilden Woods" by deed dated December 18, 1962. This property is shown on Map "A", attached. At the time of its conveyance to the Commission, the property was in the master planned right-of-way for the Outer Beltway which later became known as the Rockville Facility and now is known as Montrose Parkway West. During the more than 40 years that this property was held by the Commission, it was not considered to be parkland, but land held for future road use.

The Montrose Parkway West road project was reviewed and approved, with comments, by the Montgomery County Planning Board as a mandatory referral item on

July 26, 2001. The impacts of this project on Outlot "B", Block 3 "Tilden Woods" were indicated on the plans presented to the Board as part of the mandatory referral.

COMPENSATION

In that this property was acquired by the Commission for road purposes, at no cost, the County is expecting that the Commission will convey this property to it for road purposes, also at no cost. This expectation is based on an existing agreement between DPW & T and the Planning Board which provides that M-NCPPC will convey rights-of-way and grant necessary slope easements and drainage easements for road projects located adjacent to or across Park property whenever required by a Master Plan or as a condition of subdivision approval. Further, this agreement provides that in those instances where the Commission received the land at no cost, they will convert the affected property to right-of-way and easements at no cost. Conversely, though it does not apply here, the agreement provides that in those instances where M-NCPPC paid for the land, the County will reimburse M-NCPPC for the cost of the right-of-way and easements.

RECOMMENDATION

Staff recommends that the Planning Board convey the herein described property to Montgomery County, Maryland for the Montrose Parkway West Improvement Project. It is further recommended that this conveyance be made at no cost to the County consistent with the existing agreement between DPW & T and the Planning Board for land conversions of this nature. Assuming the Board approves the staff recommendation, this matter will be scheduled for final approval action of the full M-NCPPC as the property to be conveyed is titled in the name of the Commission.



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Michael C. Hoyt
Acting Director

September 8, 2004

Bill Gries
Maryland-National Capital Park and Planning Comm.
9500 Brunett Avenue, Room B-113
Silver Spring, MD 20901

Re: Outlot "B", Tilden Woods
Montrose Parkway West
CIP Project # 500311

Dear Bill:

The Department of Public Works and Transportation has finalized its plans for Montrose Parkway West and this office is in the process of acquiring the needed right of way in connection with the project. In that regard, this is to request that the Maryland-National Capital Park and Planning Commission convey to the County the above-referenced Outlot "B" at this time.

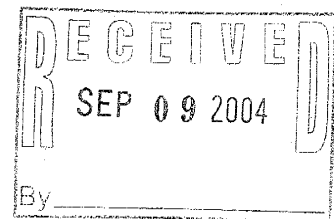
As you know, the subject property was acquired for road purposes through the subdivision process for Tilden Woods (Plat No. 6486) in 1961. A copy of the plat is attached.

Please let me know if there is any problem with the Commission granting this request. Thanks for your attention to this matter.

Sincerely,

Dennis Robinson
Real Estate Analyst

enclosure (plat)



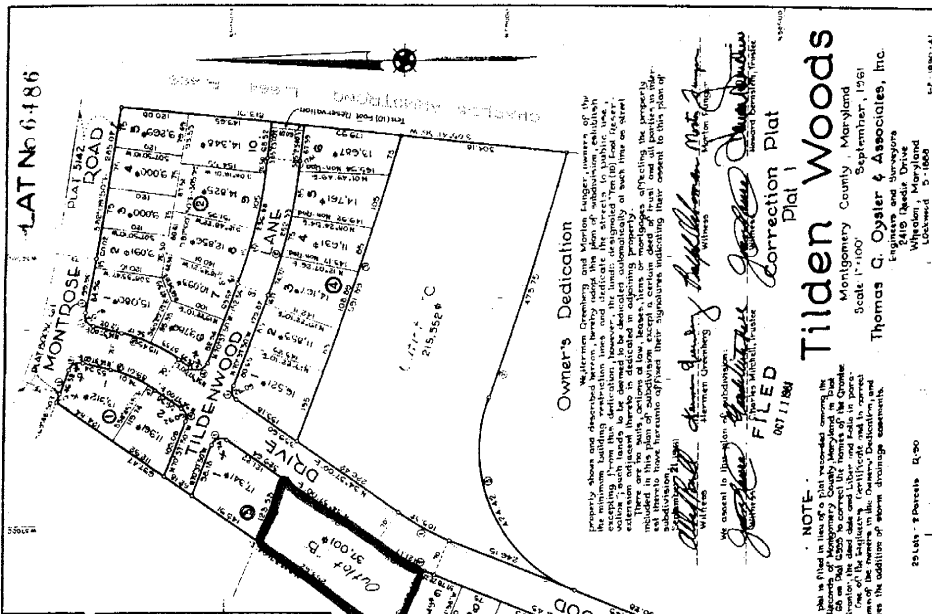
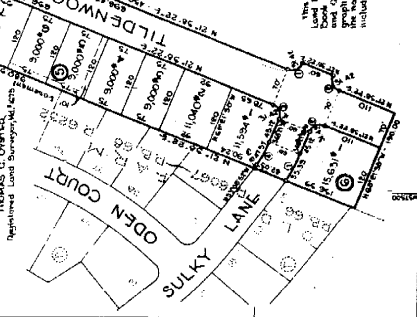
Office of Real Estate

Professional Engineer's Certificate
 State of Maryland
 License No. 180-29
 Thomas C. Oyster, Inc.
 Montgomery County, Maryland
 September 1961

Curve No.	Stationing	Curve Length (ft)	Radius (ft)	Chord Length (ft)	Area (sq ft)	Volume (cu ft)
1	1+00.00	200.00	1000.00	200.00	20000.00	4000000.00
2	1+200.00	200.00	1000.00	200.00	20000.00	4000000.00
3	1+400.00	200.00	1000.00	200.00	20000.00	4000000.00
4	1+600.00	200.00	1000.00	200.00	20000.00	4000000.00
5	1+800.00	200.00	1000.00	200.00	20000.00	4000000.00
6	2+000.00	200.00	1000.00	200.00	20000.00	4000000.00
7	2+200.00	200.00	1000.00	200.00	20000.00	4000000.00
8	2+400.00	200.00	1000.00	200.00	20000.00	4000000.00
9	2+600.00	200.00	1000.00	200.00	20000.00	4000000.00
10	2+800.00	200.00	1000.00	200.00	20000.00	4000000.00
11	3+000.00	200.00	1000.00	200.00	20000.00	4000000.00
12	3+200.00	200.00	1000.00	200.00	20000.00	4000000.00
13	3+400.00	200.00	1000.00	200.00	20000.00	4000000.00
14	3+600.00	200.00	1000.00	200.00	20000.00	4000000.00
15	3+800.00	200.00	1000.00	200.00	20000.00	4000000.00
16	4+000.00	200.00	1000.00	200.00	20000.00	4000000.00
17	4+200.00	200.00	1000.00	200.00	20000.00	4000000.00
18	4+400.00	200.00	1000.00	200.00	20000.00	4000000.00
19	4+600.00	200.00	1000.00	200.00	20000.00	4000000.00
20	4+800.00	200.00	1000.00	200.00	20000.00	4000000.00

Engineer's Certificate
 I hereby certify that the plan shown hereon is correct.
 It is a subdivision of a part of the lands conveyed
 to the County of Montgomery, Maryland, by deed dated July 1, 1961,
 recorded in the Montgomery County Records at Folio 500 and that
 the same have been placed where they
 are shown hereon.
 The total area of all streets dedicated to public use
 by this plat is 1,026,700 sq. ft. or 23.45 acres, as shown
 on the plan and as recorded in the Montgomery County
 Records at Folio 500.

September 27, 1961
 Thomas C. Oyster, Inc.
 Registered Land Surveyors
 Montgomery, Maryland



Owner's Dedication
 I, the undersigned, being the owner of the
 property above and described, do hereby dedicate, convey, and
 reserve to the public use the streets, public use,
 and easements hereon shown and indicated by the lines and
 notes hereon. This dedication shall take effect on the date of
 the recording of this plat in the Montgomery County Records.
 There are no other interests in the above-described property
 which are known to the undersigned or which may affect the property
 hereon, except as shown hereon. The undersigned further certifies
 that the plat of subdivision shown hereon was prepared by a
 professional land surveyor duly licensed and qualified under the laws
 of the State of Maryland.

We consent to the plan of subdivision shown hereon and
 the streets, public use, and easements hereon shown and
 indicated by the lines and notes hereon.

Thomas C. Oyster, Inc.
 Montgomery, Maryland
 September 27, 1961

NOTE:
 This plat is filed for recording on the public records of
 the State of Maryland, to be recorded in the Montgomery County
 Records at Folio 500, and the same will be recorded in the
 Montgomery County Records at Folio 500 and that the same
 shall be recorded in the Montgomery County Records at Folio 500
 and that the same shall be recorded in the Montgomery County
 Records at Folio 500.

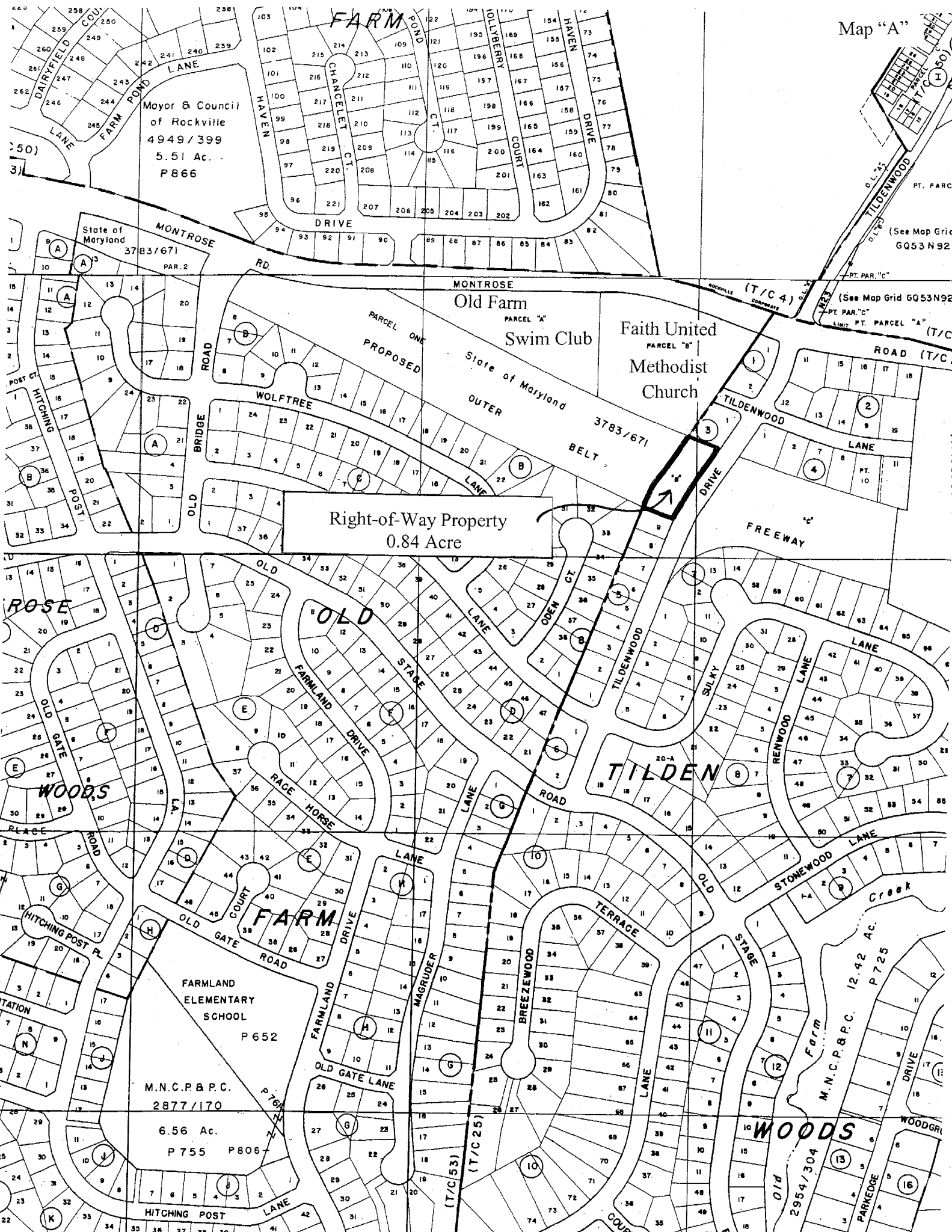
FILED
 OCT 11 1961

Correction Plat
 Plat 1

Tilden Woods
 Montgomery County, Maryland
 September, 1961
 Scale 1"=100'

Thomas C. Oyster & Associates, Inc.
 Engineers and Surveyors
 2410 Heister Drive
 Gaithersburg, Maryland 20878
 U.S. Map 41
 U.S. Map 41

MARYLAND STATE ARCHIVES



Mayor & Council
of Rockville
4949/399
5.51 Ac.
P866

State of Maryland
3783/671
PAR. 2

Old Farm
PARCEL "X"
Swim Club

Faith United
Methodist
Church
PARCEL "B"

Right-of-Way Property
0.84 Acre

FARMLAND
ELEMENTARY
SCHOOL
P652

M.N.C.P.&B.C.
2877/170
6.56 Ac.
P755 P806

M.N.C.P.&B.C.
12.42 Ac.
P725

(See Map Grid
GQ53N92)

(See Map Grid GQ53N92)

(See Map Grid GQ53N92)

(See Map Grid GQ53N92)

(T/C 53)

(T/C 25)

P10

2954/304

P13

P16