



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

MCPB Agenda Item : #4

Agenda Date: February 24, 2011

February 17, 2011

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Bradford, Director of Parks *Mary Bradford*

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

SUBJECT: Resolution designating the 2.07 acre, more or less, improved Kim L. Smith-Edwards, et al, property as an Urban Open Space under the Legacy Open Space Master Plan and recommending the purchase of the Smith-Edwards property as an addition to Sligo Creek Stream Valley Park, Unit 4 by Montgomery County, Maryland.

RECOMMENDATION

Staff recommends that the Montgomery County Planning Board approve the attached Resolution which designates the 2.07 acre, more or less, improved Kim L. Smith-Edwards, et al, property as an Urban Open Space under the Legacy Open Space Master Plan and further recommends the purchase of the Smith-Edwards property as an addition to Sligo Creek Stream Valley Park by Montgomery County, Maryland. The property is located south of University Boulevard, west of Sligo Creek Parkway at 1300 Wheaton Lane, Silver Spring, Maryland. This acquisition will be funded with County General Obligation Bond monies available in the Commission's Legacy Open Space CIP. The property will be acquired for a purchase price of \$685,000. Details of this recommended parkland acquisition were presented to the Board in closed session on February 17, 2011.



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

MCPB
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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 February 17, 2011, that it approve the acquisition of 2.07 acres, more or less, of improved land, from Kim L. Smith-Edwards, et al, as an addition to Sligo Creek Stream Valley Park, Unit 4; and

WHEREAS, the Smith-Edwards, et al, property meets parkland acquisition criteria as an Urban Open Space under the Legacy Open Space (LOS) Master Plan of 2001 and staff of the Commission further recommended that the Smith-Edwards, et al, property be designated as an Urban Open Space under said Master Plan; and

WHEREAS, there are sufficient Montgomery County General Obligation Bond monies available in the Commission's Legacy Open Space (LOS) Capital Improvement Program (CIP) to pay the \$685,000.00 negotiated purchase price;

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board hereby designates the Kim L. Smith-Edwards, et al, property consisting of 2.07 acres, more or less, of improved land as an Urban Open Space under the Legacy Open Space Master Plan of 2001; and

BE IT FURTHER RESOLVED, that the purchase of real property from Kim L. Smith-Edwards, et al, as described above, for a purchase price of \$685,000.00, in accordance with a proposed Land Purchase Contract between Montgomery County, Maryland and Kim L. Smith-Edwards, et al, is hereby recommended by the Montgomery County Planning Board for acceptance and execution by both parties on this 24th day of February 2011. Staff is directed to forward said contract to Montgomery County, Maryland with the Montgomery County Planning Board's recommendation for acceptance.

* * * * *

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, February 24, 2011 in Silver Spring, Maryland.

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department

Date 2/17/11

Françoise M. Carrier, Chair
Montgomery County Planning Board