



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

9500 Brunett Avenue
Silver Spring, Maryland 20901

August 17, 2005

Agenda Date: Sept. 8, 2005

MEMORANDUM

TO: Montgomery County Planning Board

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

FROM: William E. Gries, Land Acquisition Specialist

SUBJECT: Agricultural History Farm Park/Rock Creek Stream Valley Park, Unit 12 -
Authorization to Convey to Montgomery County, Maryland 1.54 acres in
Fee Simple and 1.79 acres in Easements for the Muncaster Road
Improvement Project.

BACKGROUND

The Montgomery County Department of Public Works and Transportation has requested that the Commission convey to Montgomery County, Maryland certain parklands in the Agricultural History Farm Park and Rock Creek Stream Valley Park, Unit 12 as right-of-way for road improvements that are to be made to Muncaster Road between Hollingsworth Drive and Beechdale Court, east of Redland.

The property interests to be acquired by the County include lands within the Agricultural History Farm Park formerly owned by A. L. & A. G. Gamson (acquired December 1964), W. E. & L. C. Cox (acquired January 1965), and H. T. & M. K. Bussard (acquired September 1967). In addition, property interests will also be acquired from parkland in Rock Creek Stream Valley Park, Unit 12 including lands formerly owned by M. Gerber & H. J. Bobys (acquired May 1965) and M. B. Hendry (acquired March 1965). The properties impacted by this project are located immediately adjacent to and parallel with the existing northerly and southerly rights-of-way lines of Muncaster Road within the project area. There are no park facilities directly impacted by the pending acquisition except for existing driveway intersections with Muncaster Road. DPW & T will be required rebuild these driveway intersections so as to provide a smooth transition from parkland onto Muncaster Road.

The proposed roadway improvements for Muncaster Road, including a bridge replacement over Rock Creek, were reviewed and approved, with comments, by the Montgomery County Planning Board as a mandatory referral item on February 13, 1997. The Board was advised during the mandatory referral discussion that this project would impact existing parkland adjacent to the project but specific details on these impacts were unavailable at that time. The engineering work for this project has recently been completed and the right-of-way limits have now been established. Specifically, Montgomery County will require 1.54 acres of Commission property in fee simple and 1.79 acres of Commission property in revertible slope, temporary construction, and perpetual drainage easements. These areas are generally shown on Map "A" attached.

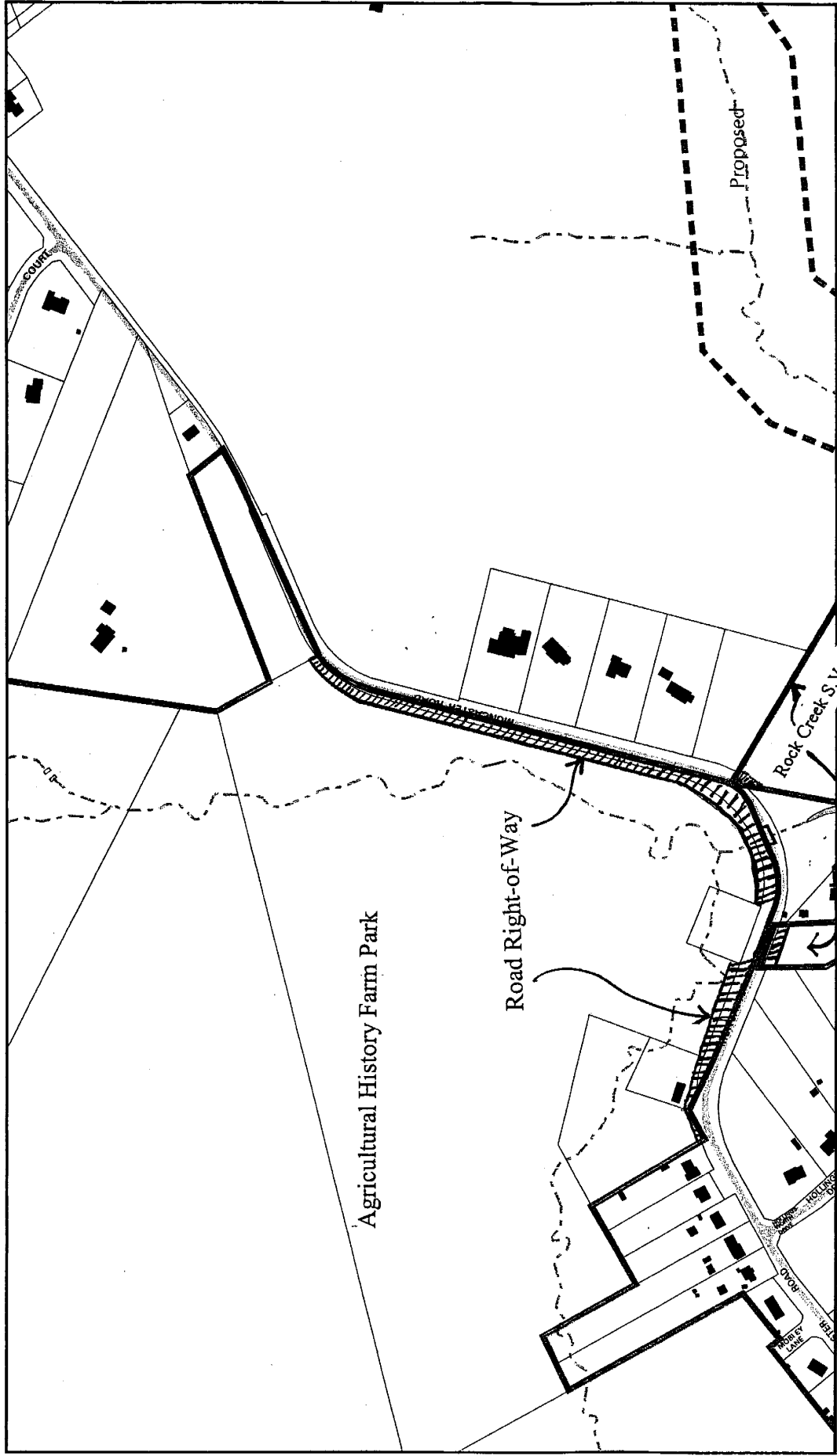
COMPENSATION

Consistent with a letter of understanding between William H. Hussmann, former Chairman of the Montgomery County Planning Board and Albert J. Genetti, former Director of DPW& T, the Commission is to be compensated for the parkland required by this project in an amount that will reimburse the Commission for its cost of the land taken. With the help of the Commission's Finance Department, staff has determined that the cost to the Commission for the land to be taken, along with an increment for interest (this interest was based on a formula tied to the rate of return on U.S. Treasury Certificates during the time the Commission held these properties) is approximately \$24,552.00, rounded to \$25,000.00.

RECOMMENDATION

Staff recommends that the Planning Board approve the transfer of 1.54 acres in fee simple and 1.79 acres in easement for the Muncaster Road Improvement Project and that this conveyance be conditioned on the County paying the Commission \$25,000. Assuming the Planning Board approves the staff recommendation in this regard, 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.

MUNCASTER ROAD



Map compiled on August 17, 2005 at 3:51 PM | Site located on base sheet no. 225NW06

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8787 Georgia Avenue - Silver Spring, Maryland 20910-4760

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Research & Technology Center

Key Map

1 inch = 500 feet
1 : 6000