

Resolution No.: 16-756
Introduced: October 14, 2008
Adopted: October 21, 2008

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Acquisition of Real Property from Toll MD II, L.L.C., in the Derwood Area of Montgomery County as Parkland for Piedmont Crossing Local Park

Background

1. The Montgomery County Council has approved the establishment of an Advance Land Acquisition Revolving Fund for the Maryland-National Capital Park and Planning Commission. The fund was originally created through a \$7 million bond issue in FY-72 and supplemented with a \$5 million bond issue in FY-90, a \$2.2 million bond issue in FY-94, and a \$2 million bond issue in FY-05.
2. The Montgomery County Council has provided for expenditures from this fund in Fiscal Year 2009.
3. The Maryland-National Capital Park and Planning Commission has requested the Council's approval to acquire the below-described real property, in the Derwood area of Montgomery County, as an advance land acquisition to provide parkland for Piedmont Crossing Local Park.
4. The subject property will be acquired from a willing seller for a master planned public purpose.

Action

The County Council for Montgomery County, Maryland, sitting as District Council for that portion of the Maryland-Washington Regional District within Montgomery County, approves the following resolution:

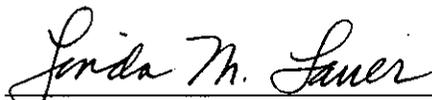
The County approves the acquisition by The Maryland-National Capital Park and Planning Commission of the below described real property:

1. Part of that land conveyed from Betty Brown Casey, et al, to Oxbridge Development at Washington Grove, L.C. by deed dated July 24, 2002 and recorded among the Land Records of Montgomery County, Maryland in Liber 21490 at Folio 047, which land is now owned by Toll MD II, L.L.C., consisting of 9.7761 acres, more or less, unimproved, said land situated in the Gaithersburg (9th) Election District, north of the proposed Intercounty Connector and south of Ridge Road in Derwood, Maryland.

Part of Tax Account #09-1-0768652
and
Part of Tax Account #09-1-2840874

2. The subject property will be used to provide parkland for Piedmont Crossing Local Park and is for a necessary and proper public purpose.
3. The total cost of the acquisition described in (1) above shall not exceed the sum of Four Million and .00/100 Dollars (\$4,000,000.00).
4. This action is in compliance with Maryland Code, Article 28, §7-106.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council