

Resolution No.: 17-1077  
Introduced: April 29, 2014  
Adopted: May 6, 2014

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

**SUBJECT:** Optional Procedure for Condemnation of Land, Advance Taking  
CIP Project No. 501301 - Whites Ferry Road Bridges (M-0187B and M-0189B)

In accordance with Article III, Section 40A, Maryland Constitution and Section 49-50,  
2004 Montgomery County Code, as amended.

**Background**

It has been requested that Council authorize the condemnation of those portions of land necessary to construct Whites Ferry Road Bridges Nos. M-0187B and M-0189B, in accordance with Section 49-50 of the 2004 Montgomery County Code, as amended.

1. In order to meet the construction schedule, as authorized by the Montgomery County Council, the County must acquire the properties referenced below.
2. The County has been unable to negotiate an Option Contract with the property owner listed below:

**RIGHT OF WAY** (in sq. ft.)

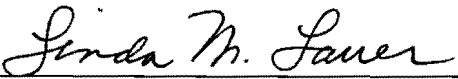
Owner	Account Number	Legal Description	Liber/ Folio	Temporary Construction Easement	Permanent Drainage Easement	Permanent Utility Easement
Seville Development Corporation	00033820	Parcel P700, Grid CT12	8660/231	0	0	2,519

3. There is an immediate need to acquire the above-listed right-of-way for the construction of the Whites Ferry Road Bridges.

**Action**

- I. The County Council approves the Resolution authorizing the condemnation of land, optional procedure Advance Taking, for the above portion of land needed for the construction of Whites Ferry Road Bridges Nos. M-0187B and M-0189B in accordance with Section 49-50 of the Montgomery County Code, (2004) as amended effective upon the following conditions:
  1. Montgomery County guarantees the payment of the condemnation award as may be subsequently awarded by a jury.
  2. William W. Moroney, Jr., MAI, a Maryland Certified General Appraiser, is hereby appointed to appraise the fair market value of the property.
- II. Montgomery County may take immediate possession of the property described above, upon payment into Court of the fair market value thereof, as determined by the County's appraiser. The County reserves the right to abandon this proceeding at any time prior to such payment into Court.
- III. The County Attorney is hereby directed to take all necessary steps to acquire the property.

This is a correct copy of council action:

  
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Linda M. Lauer, Clerk of the Council