

Resolution No.: 17-1126
Introduced: May 13, 2014
Adopted: June 10, 2014

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of Declaration of No Further Need: Disposition of Parcels at 600 East Gude Drive, Rockville, Maryland, AKA Gude Landfill

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.

If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value. The Council may waive the requirement for a full market value disposition.

2. On March 10, 2014 the County Council received a summary of the material terms for an exchange of land between the County Government and the Maryland-National Park and Planning Commission. The County will exchange 17.1 acres of County-owned land for 16.5 acres of M-NCPPC owned land that is adjacent to the Gude Landfill. During the operation of the Gude Landfill, waste was inadvertently deposited on the M-NCPPC land. The County's Department of Environmental Protection needs unrestricted control of the entire waste site per a directive from the Maryland Department of the Environment.

The Transportation, Infrastructure, Energy, and Environment Committee and the Government Operations and Fiscal Policy Committee held a joint worksession to review this proposed disposition on March 31, 2014. The joint Committee recommended approval of this proposed disposition, waiving the public hearing on the Declaration of No Further Need, and waiving the requirement that this must be a fair market exchange.

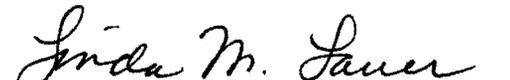
3. On May 2, 2014, the Executive published in the County Register Executive Order 94-14, Disposition of two parcels located at 600 East Gude Drive, Rockville, Maryland, AKA Gude Landfill. The Executive declared that the property is no longer needed for public use and directs the Department of General Services to take the steps necessary to dispose of the property in the manner described.
4. On May 13, 2014 the Council waived the public hearing for this disposition.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The Declaration of No Further Need for the two County-owned parcels totaling 17.1 acres located at 600 East Gude Drive is approved. The Executive may dispose of the property in the manner described in Executive Order 94-14 and the summary of material terms described in his March 10, 2014 memo. The Council waives the requirement that the property must be disposed of in a fair market exchange.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council