

Resolution No.: 17-1257
Introduced: October 21, 2014
Adopted: October 28, 2014

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

By: District Council

SUBJECT: Acquisition of real property from Small's Nursery, LLC in the Rockville area of Montgomery County as future right-of-way for a grade-separated intersection at Georgia Avenue and Norbeck Road

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 Fiscal Year 1972 and supplemented with a \$5 million bond issue in Fiscal Year 1990, a \$2.2 million bond issue in Fiscal Year 1994, and a \$2 million bond issue in Fiscal Year 2005.
2. The Montgomery County Council has provided for expenditures from this fund in Fiscal Year 2015.
3. The Maryland-National Capital Park and Planning Commission has requested the Council's approval to acquire the below-described real property, in the Rockville area of Montgomery County, as an advance land acquisition to provide right-of-way for a grade-separated intersection at Georgia Avenue and Norbeck Road.
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 owned by Small's Nursery, LLC as described in a deed dated February 4, 1998 and recorded on February 17, 1998 among the Land Records of Montgomery County, Maryland in Liber 15541 at folio 454, consisting of 2.5 acres, more or less, unimproved.

Being all of that property located in Montgomery County, Maryland, west of Georgia Avenue and north of Norbeck Road, Rockville, MD 20853, and identified by the Maryland Department of Assessments and Taxation as Tax Account No. 08-502-00700276.

2. The subject property will be used as future right-of-way for a grade-separated intersection at Georgia Avenue and Norbeck Road 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 Three Million Seven Hundred Fifty Thousand and .00/100 Dollars (\$3,750,000.00).
4. This action is in compliance with Chapter 780, Laws of Maryland, as amended.

This is a correct copy of Council action.



Linda Lauer, Clerk of the Council