

Resolution No.: 18-779
Introduced: March 21, 2017
Adopted: April 25, 2017

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of Declaration of No Further Need: Disposition of Small Portion of the County's Leasehold Interest and Future Ability to Purchase a Small Portion of the Montgomery County Conference Center and the Disposition of an Abandoned Right-of-Way

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.

2. On February 10, 2017, the Council received the Executive's transmittal of the summary of material terms for the disposition of the County's leasehold interest and future ability to purchase a small portion of the Montgomery County Conference Center parcel and to dispose of an adjacent abandoned right-of-way in North Bethesda. The Executive's memo notes that the 22,194 square foot portion of the Conference Center parcel will not be needed after the realignment of Executive Boulevard, that terminating the County's interest in this portion of the parcel does not diminish the County's financial return from the operations of the Conference Center or adversely impact the County's right to purchase the remainder of the Conference Center parcel (approximately 11.4 acres) once the debt service on the Conference Center is fully retired in 2023. The abandoned right-of-way that will result from the realignment of Executive Boulevard is a 32,949 square foot parcel. The Executive proposes to convey the parcel to a private developer at the appraised Fair Market Value in a manner consistent with the plan for the Metro West District of the White Flint Sector Plan.

3. On March 14, 2017, the Council received Executive Order 009-17, Disposition of County Property: Conference Center portion of surface parking and Executive Boulevard abandoned Right of Way. This is the Executive's Declaration of No Further Need. Executive Order 009-17 was advertised in the County Register for 30 days commencing on February 1, 2017. No public comments were received.
4. The Council held a public hearing on April 4, 2017.
5. On April 19, 2017, the Council's Transportation, Infrastructure, Energy, and Environment Committee held a worksession and recommends approving the Executive's recommendation.

Action

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

The Declaration of No Further Need in Executive Order 009-17, to dispose of the County's lease interest in an approximately 22,194 square foot portion of the Conference Center parking lot and to dispose of the portion of Executive Boulevard between Marinelli Road and Old Georgetown Road consistent with the White Flint Sector Plan is approved and the leasehold and property may be disposed of in a fair market exchange as described in memorandum provided to the Council on February 10, 2017.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council