

Resolution No.: 16-622
Introduced: June 10, 2008
Adopted: June 17, 2008

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Acquisition of Real Property from Robert I. Mitchell, et al., in the Burtonsville area of Montgomery County as parkland in the Upper Paint Branch Stream Valley 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 2008.
3. The Maryland-National Capital Park and Planning Commission has requested the Council's approval to acquire the below-described real property, in the Burtonsville area of Montgomery County, as an advance land acquisition to provide parkland in the Upper Paint Branch Stream Valley 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. Those three pieces or parcels of land lying, situate and being in the Colesville (5th) Election District of Montgomery County, Maryland, located on the south side of Spencerville Road (MD Rte. 198, variable width), said parcels being further identified as Parcel 215, Parcel 266 and Parcel 511 as shown on Tax Map KS 341 for the aforesaid County, as described in the following three deeds, the first (as to Parcel 215, Tax I.D. #5-1-270394) dated February 26, 2007, and recorded among the Land Records of Montgomery County, Maryland in Liber 33866 at Folio 561, the second (as to Parcel 266, Tax I.D. #5-1-270383) dated February 26, 2007, and recorded among the aforesaid Land Records in Liber 33866 at Folio 557, and the third (as to Parcel 511, Tax I.D. #5-1-270406) dated February 26, 2007, and recorded among the aforesaid Land Records in Liber 33866 at Folio 559, containing a total of 35.79 acres, more or less, unimproved.
2. The subject property will be used as parkland in the Upper Paint Branch Stream Valley 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-One Hundred Thousand and .00/100 Dollars (\$4,100,000.00).
4. This action is in compliance with Maryland Code, Article 28, §7-106.

This is a correct copy of Council action.



Linda M. Lauer
Linda M. Lauer, Clerk of the Council